



# Office of Workers' Compensation Programs

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

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**WCI 2023 Conference:**

**August 22, 2023**



UNITED STATES DEPARTMENT OF LABOR

# **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

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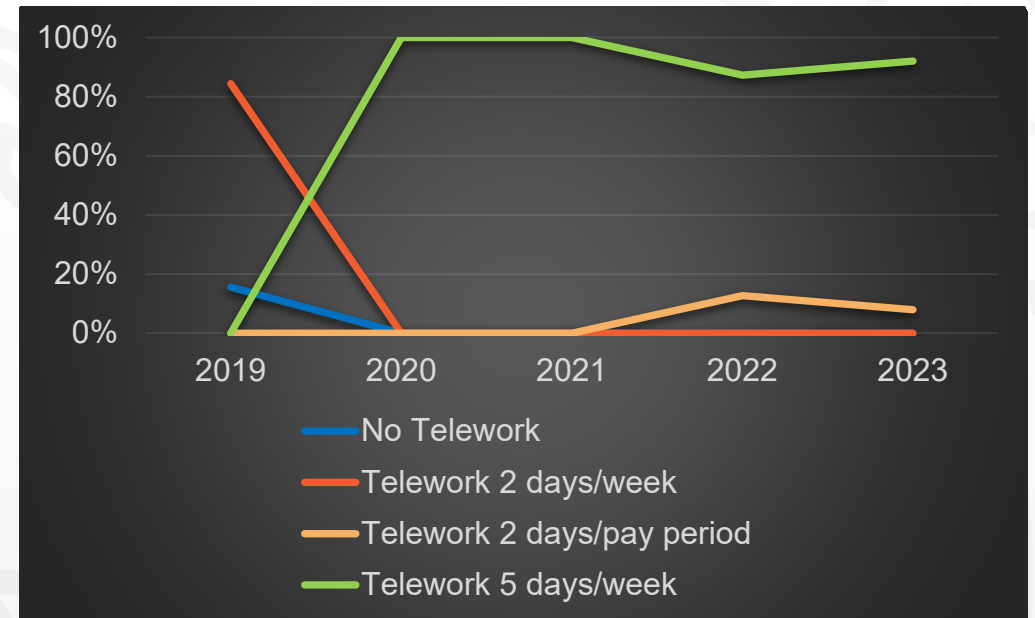
## Model Workforce and Workplace

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



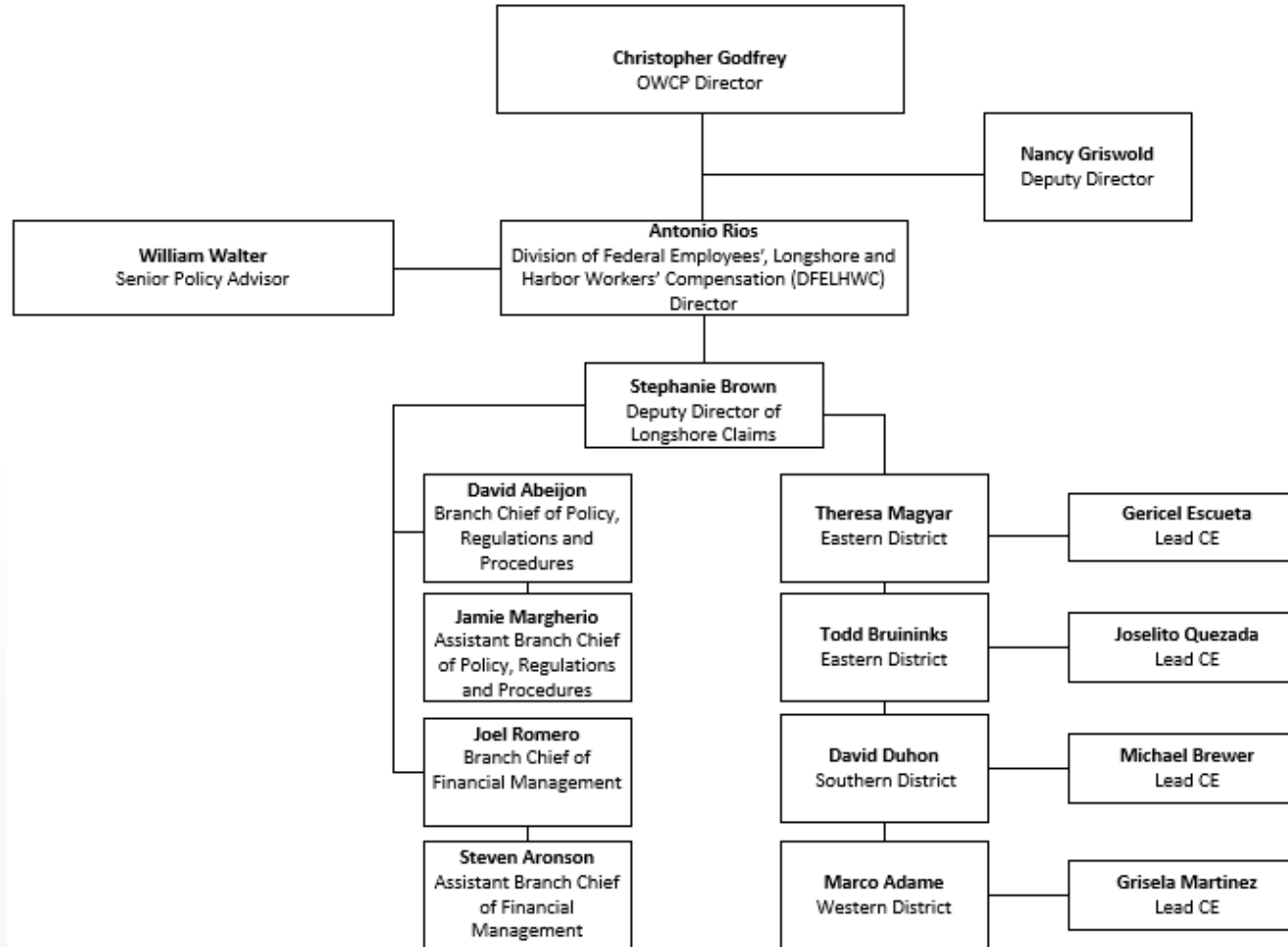
## Longshore Workforce and Workplace

- Following the phased return to the office from pandemic-induced 100% telework, most Longshore employees opted to continue full-time remote work.





## DFELHWC – Longshore Organizational Chart





## 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:**

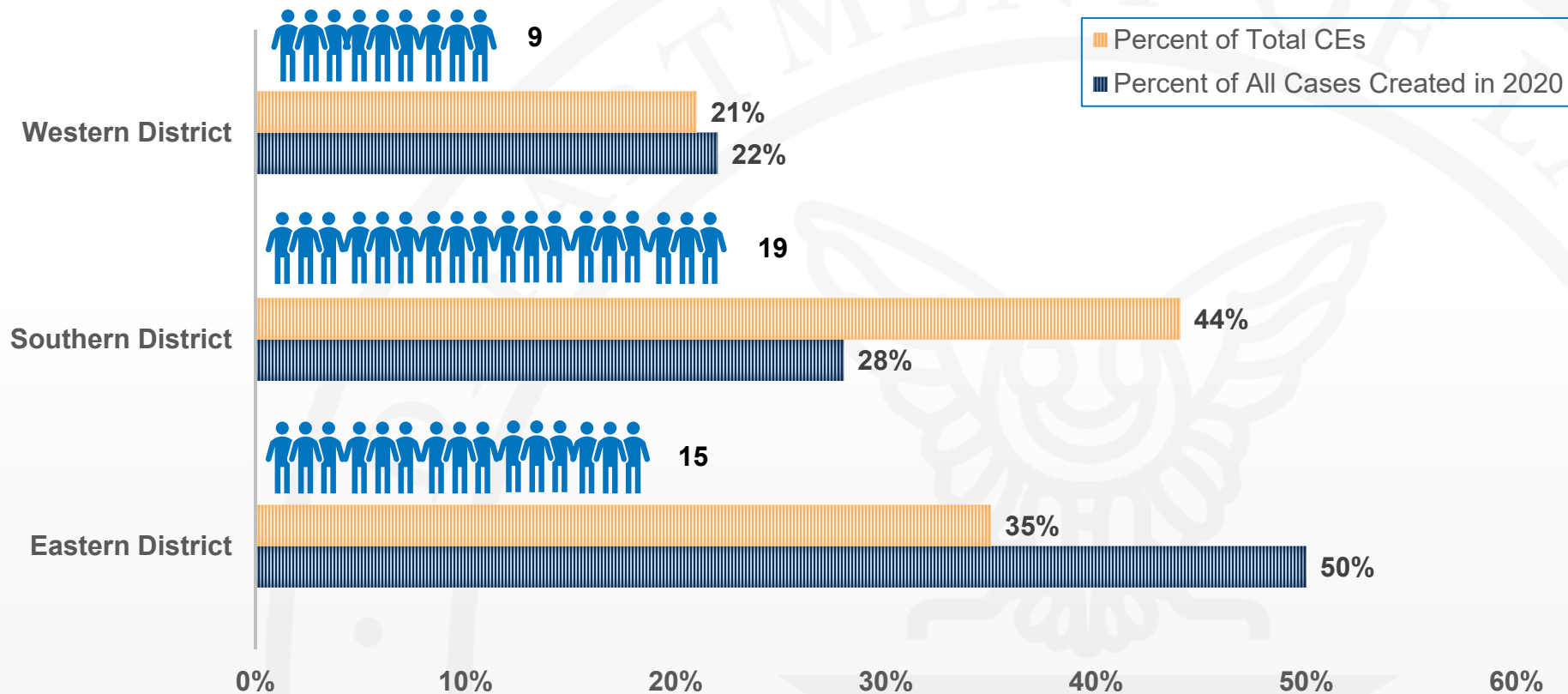
Seattle – Marco Adame  
San Francisco – Marco Adame  
Long Beach – Marco Adame

Industry Notice #175

Industry Notice #193



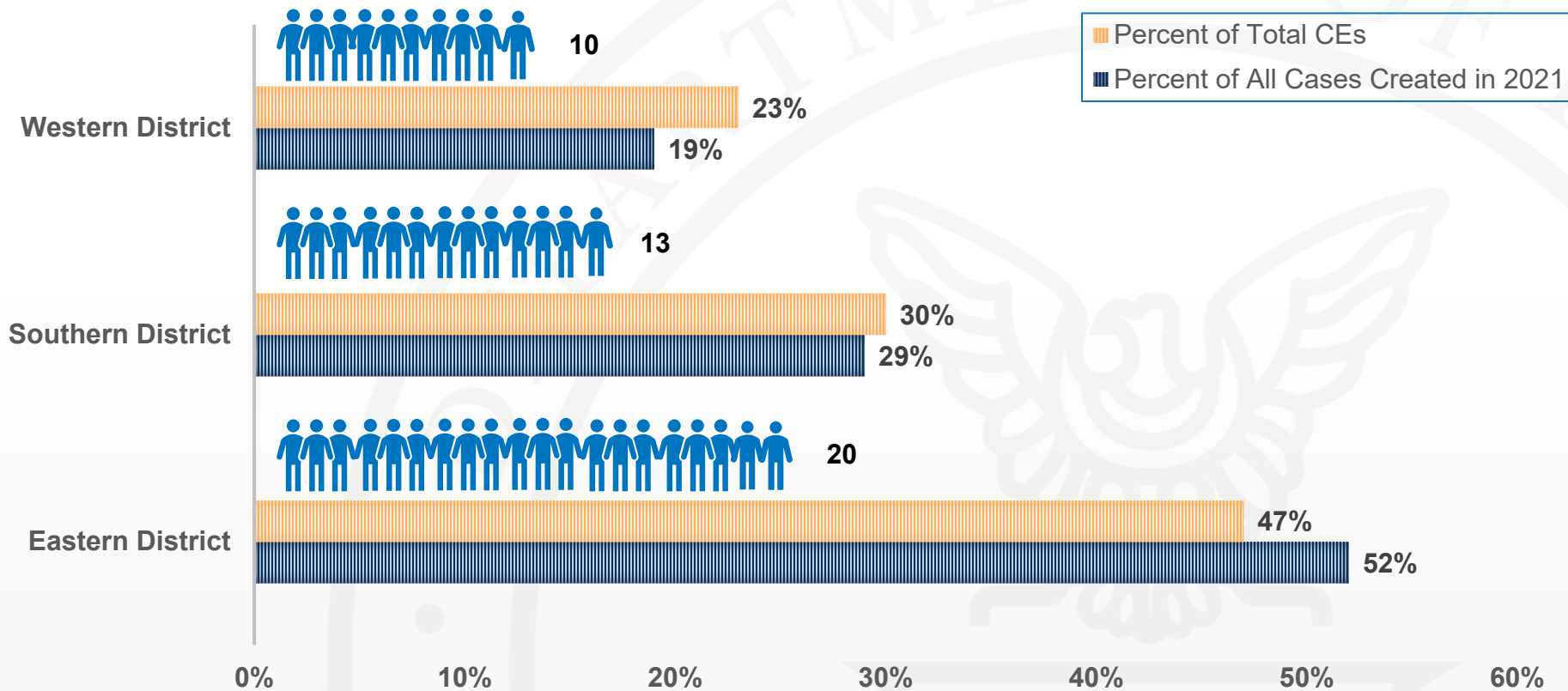
## Compensation District Workload – Case Assignment breakdown as of 05/04/2020





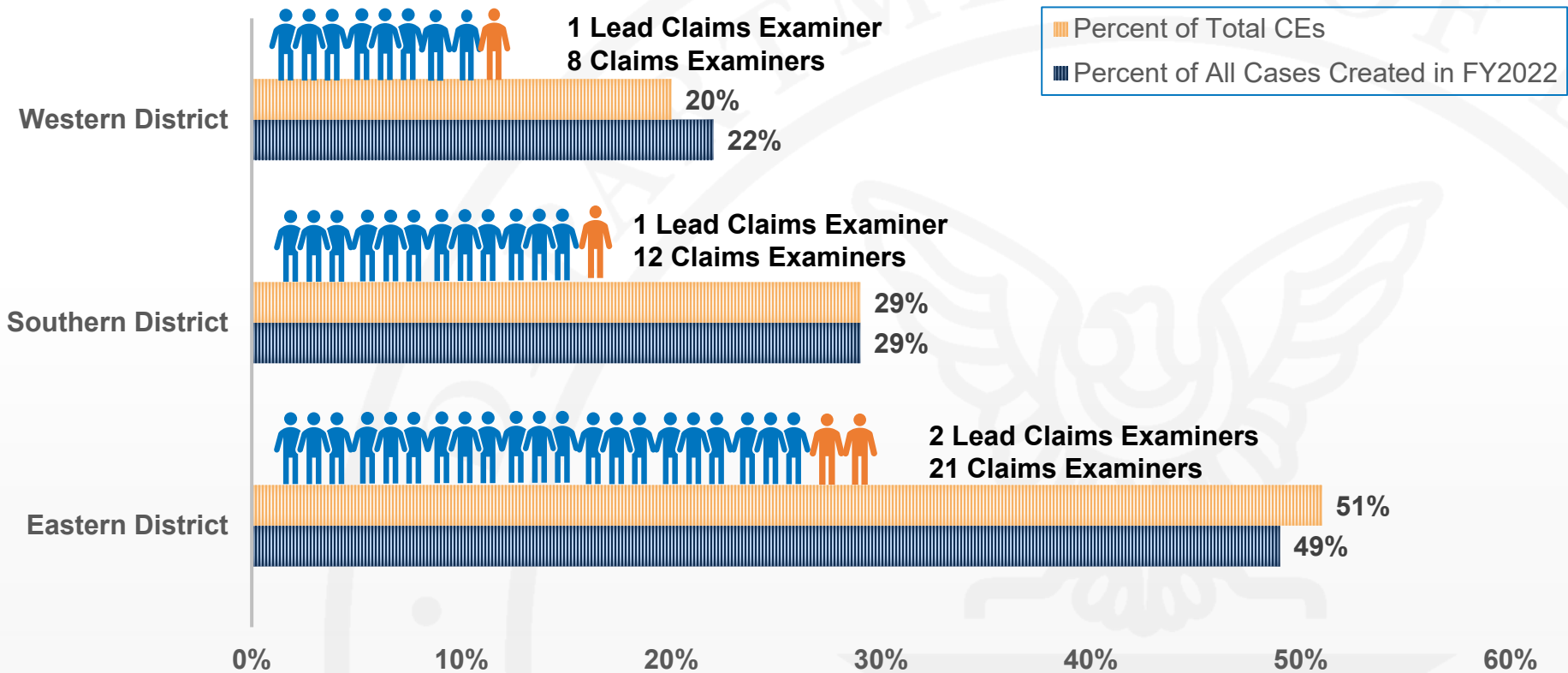


## Compensation District Workload – Case Assignment breakdown as of 01/05/2021



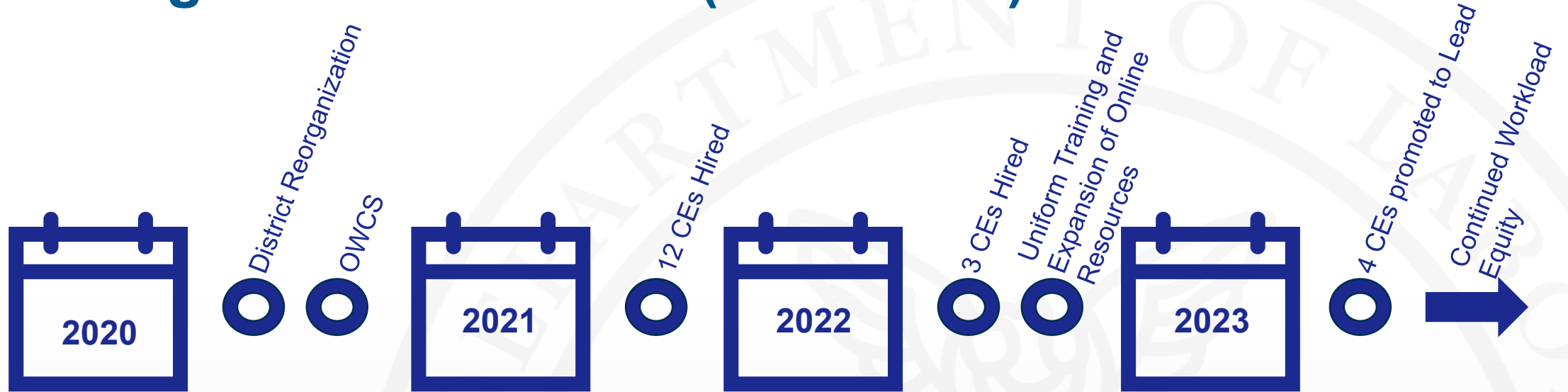


## Compensation District Workload – Case Assignment breakdown as of 08/15/2023





## Longshore Workforce (2020-2023)



- The model built allows the program the flexibility to reorganize and reassign based on need (patterns/trends).

# 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%         |



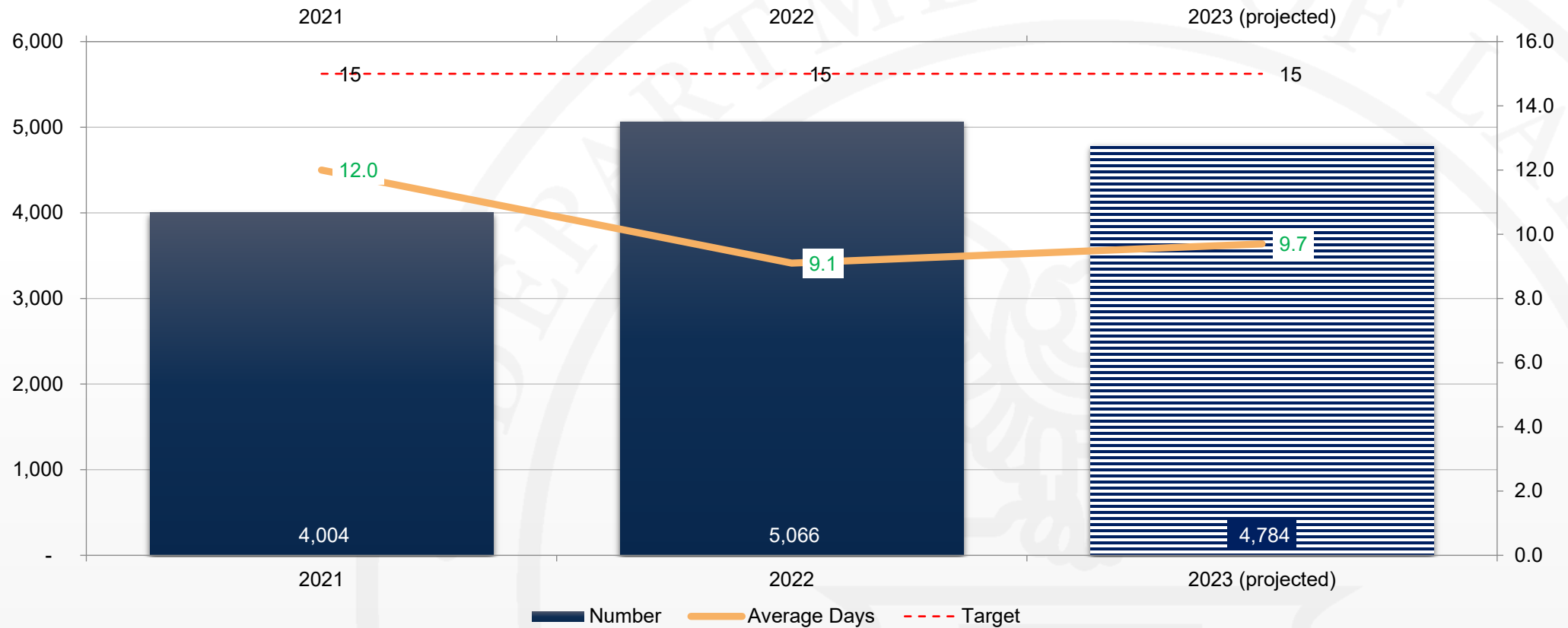
## Settlements FY2021/FY2022/FY2023 (projected)





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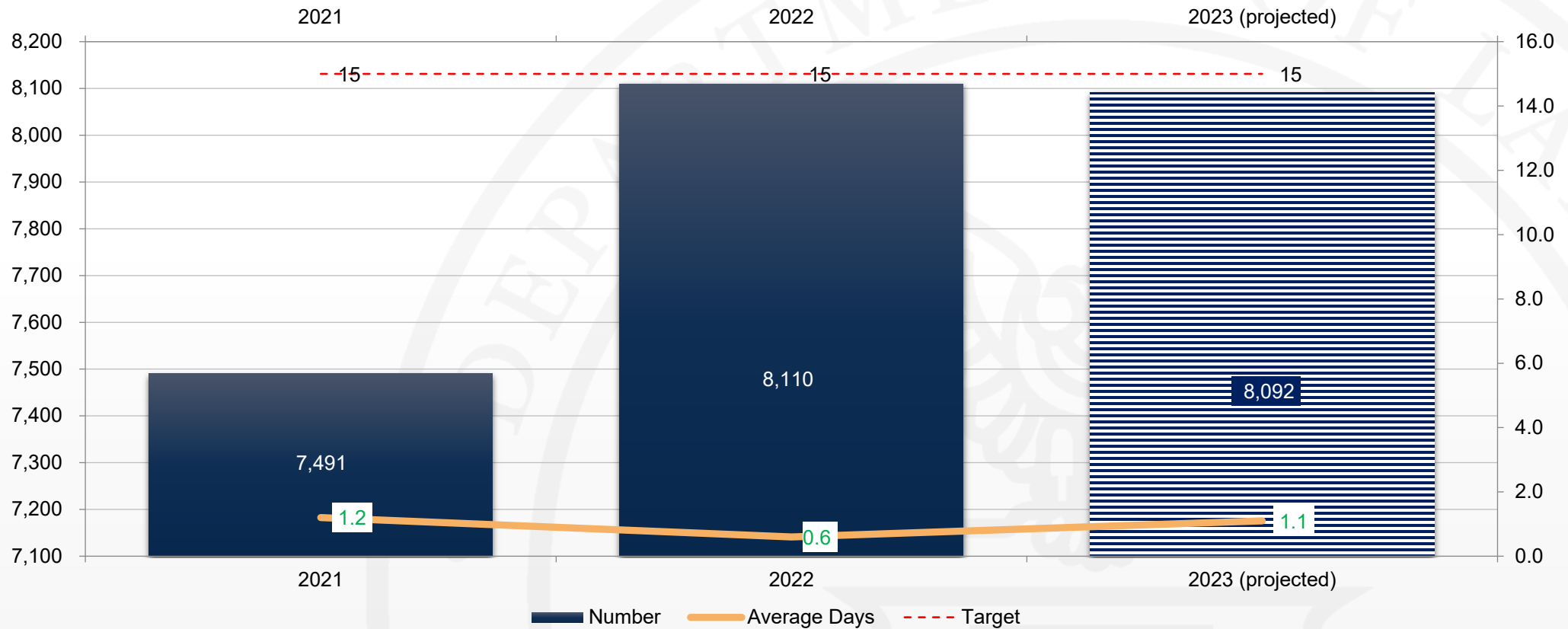
## Initial Intervention (response to request for conference) FY2021/FY2022/FY2023 (projected)





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## Referrals to OALJ FY2021/FY2022/FY2023 (projected)





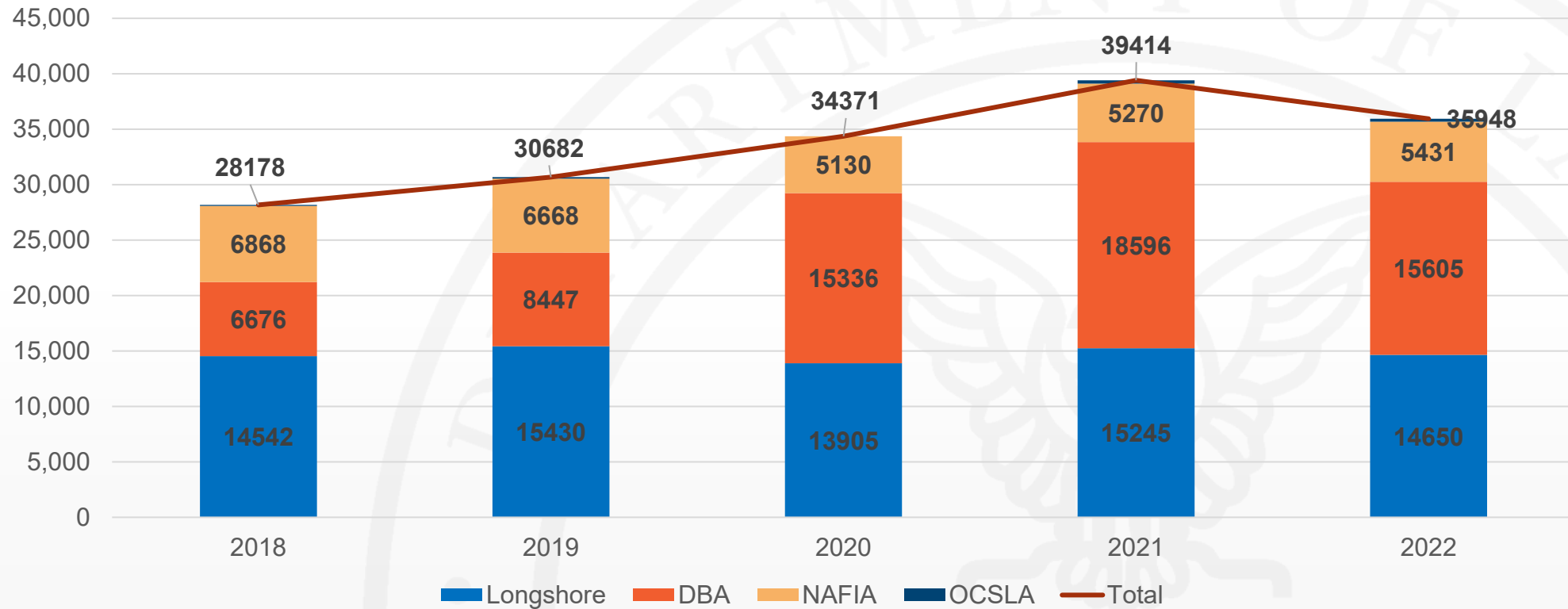
# Claims Trends

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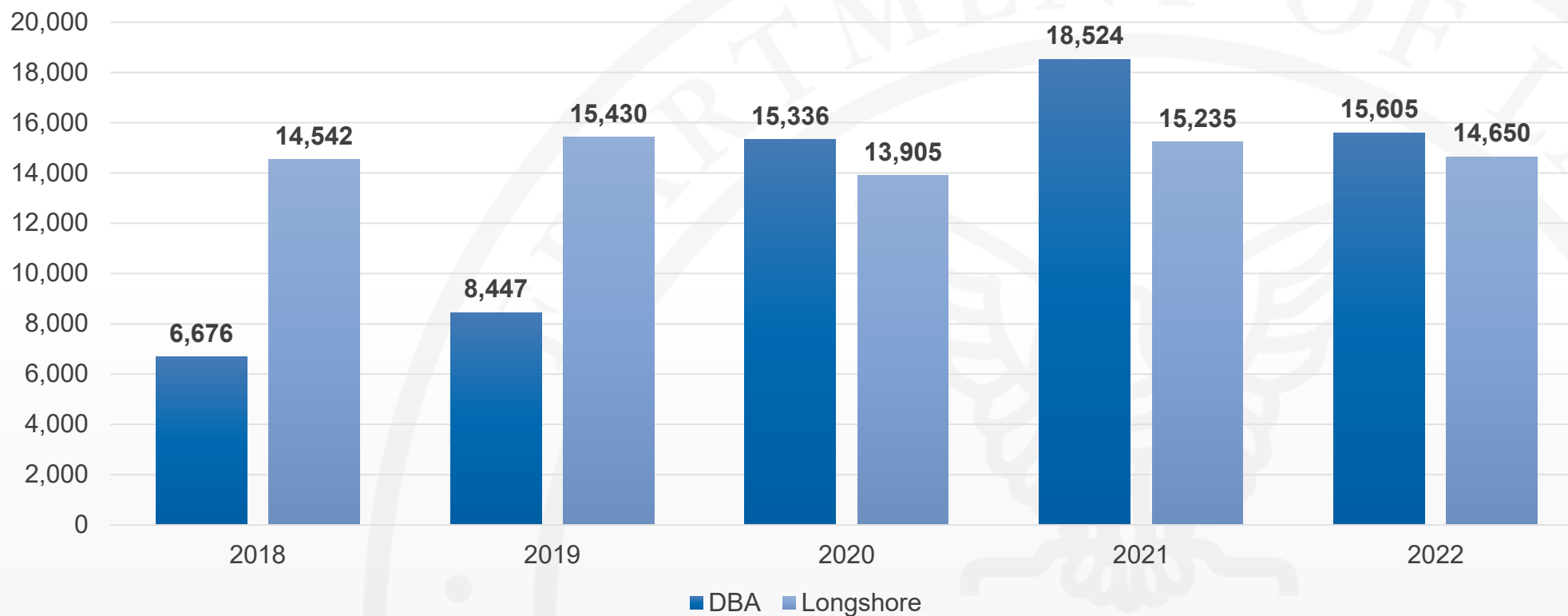
## New Cases Created by Act





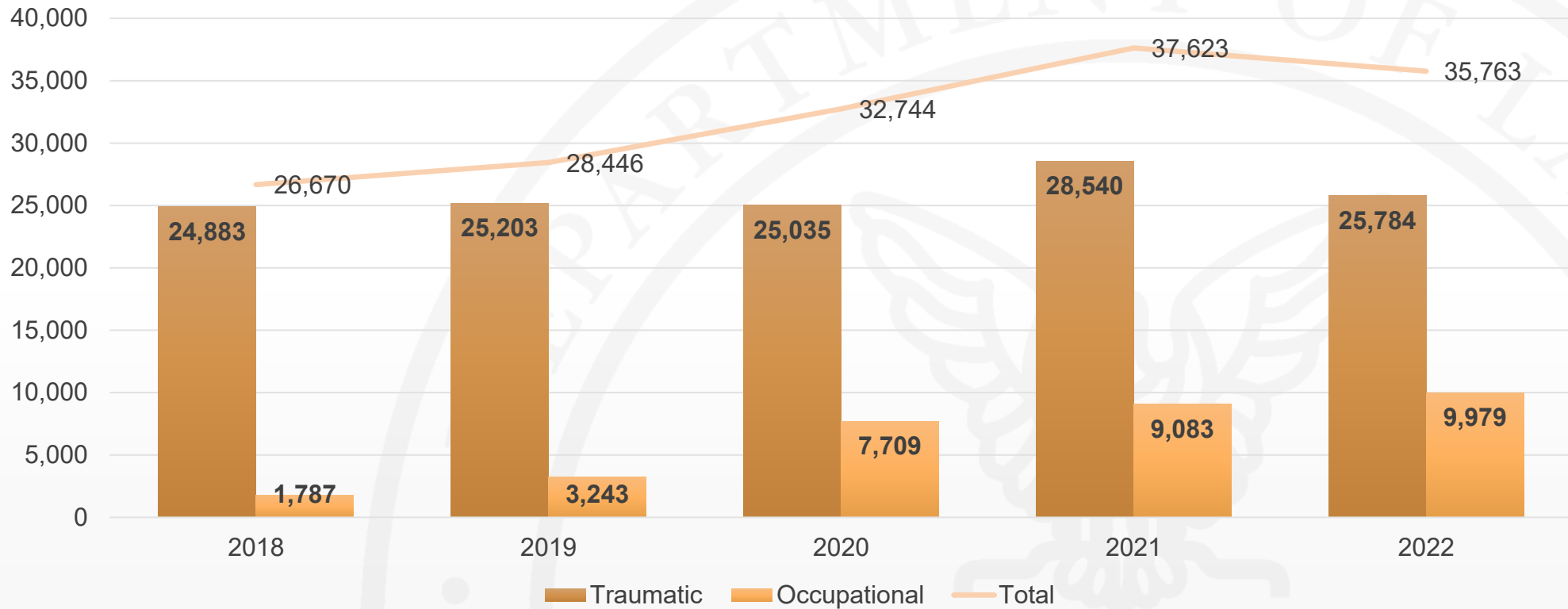
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## Trends – Claims Reported FY2017 – FY2022 Longshore & DBA





## Trends – New Claims Reported FY2018 – FY2022 Traumatic and Occupational





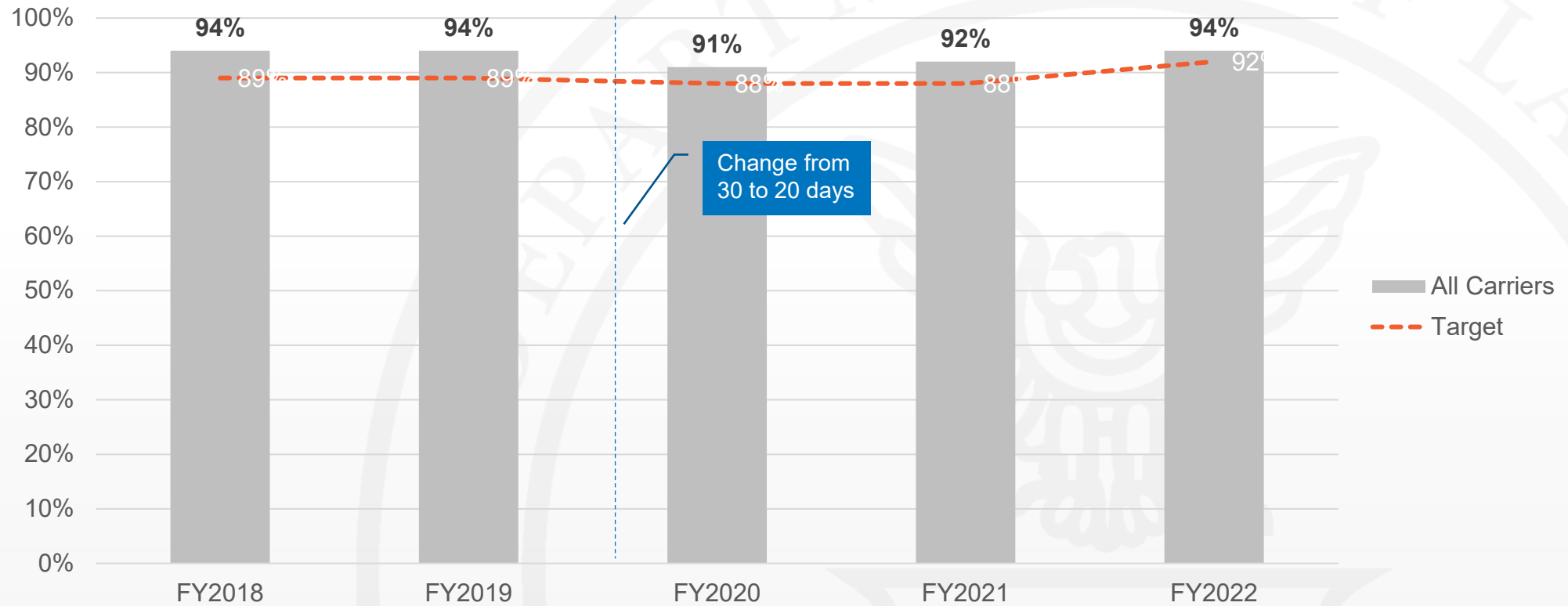
## FY22 Industry Performance

### 1<sup>st</sup> 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%         |



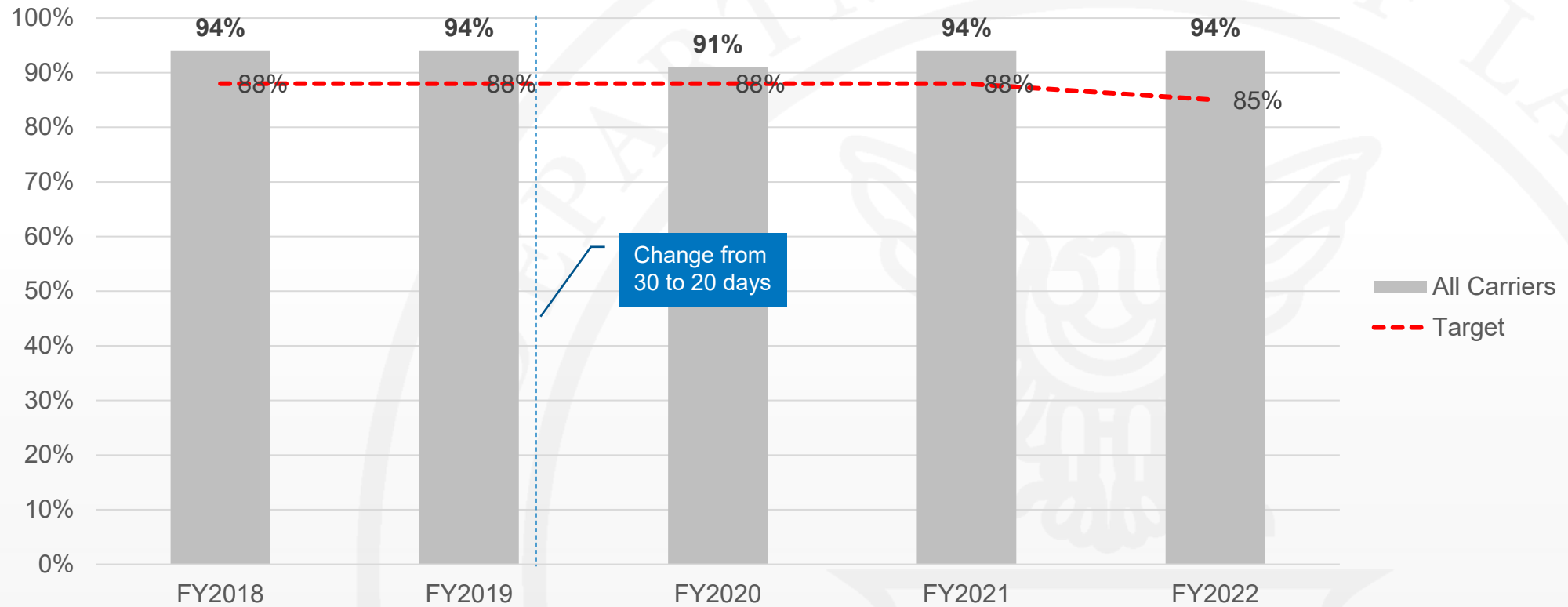
## Industry Performance First Report of Injury within 20 days Non DBA







## Industry Performance First Report of Injury within 20 days DBA





# What the Industry is Seeing

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## Settlements

| Issue   | OWCP's Stance  |
|---|--|
| All-inclusive language in Settlement agreements           | <ul style="list-style-type: none"><li>• OWCP <i>still</i> will not approve Settlements with all-inclusive language.</li><li>• OWCP will contact parties to have it stricken (either by deficiency letter or phone call).</li></ul> |
| Settling for additional conditions not originally claimed | <ul style="list-style-type: none"><li>• Conditions not originally claimed must be supported by medical.</li><li>• Specific consideration for these additional conditions must be outlined in the settlement.</li></ul>             |



## Claims-Related Issues

| Issue                                       | OWCP's Stance   |
|---|---|
| Supporting the claims with medical evidence | <ul style="list-style-type: none"><li>• Necessary to make a good faith effort to resolve disputes</li><li>• OWCP will delay referral to the OALJ where there is not <i>any</i> medical on file and develop for it, but, our obligation is to refer the case when requested by parties.</li></ul>  |
| Multiple attorneys on case                  | <ul style="list-style-type: none"><li>• Where claimant has SSN, duplication of claims should be very minimal.</li><li>• Where no SSN, search by name is performed, but with name variations for foreign nationals, this is not a fail-safe.</li><li>• If you identify these, notify OWCP <i>ASAP</i>. The earlier in the life of the claim, the better.</li></ul> |



## Budget and Innovation

| Issue                           | OWCP's Stance   |
|---------------------------------|---|
| FY23 to FY24 budget and outlook | <ul style="list-style-type: none"><li>• Level or less</li><li>• Development freeze</li></ul>  |
| Creative Innovation             | <ul style="list-style-type: none"><li>• Where we can innovate without development or utilize our in-house staff and current partnerships, we are, as always pushing forward.</li><li>• Where development is required or major projects such as ECOMP access for Employers/Carriers, the program plan has not changed, but the timeline has.</li></ul> |





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**Jamie Margherio,  
Deputy Branch Chief of Policies,  
Regulations and Procedures**

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



# Continued Modernization

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## 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



Public User



Claimants



Entities



Claimant Representatives



## System-to-System Transfer and Online Accessibility

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

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



SEAPortal



Claimant Representatives



**ECOMP**

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## 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

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[MY DASHBOARD](#)

[HELP](#)

[HOME](#) / [CASE REVIEW](#)

[Return to Dashboard](#)

CASE LS- [REDACTED]

[SEAPortal](#)

Employer:

Claimant SSN: [REDACTED]

Claimant Name:

Date of Injury:

Date of Birth:

Details of the case such as AWW, CR, Body part, etc.

Shows Employer, Carrier and Attorneys on file

Representation

Pending

Full Visibility

[Revoke Representation request](#)

CASE DATA

PAYMENT HISTORY

PARTIES

CASE IMAGING

Payments made by OWCP Special Fund

Documents in the OWCP case file



## Case Documents

CASE LS-0 [REDACTED]

[SEAPortal](#)

Employer: General Dynamics  
Claimant Name: [REDACTED]  
Date of Injury: [REDACTED]  
Date of Birth: [REDACTED]

Claimant SSN: [REDACTED]

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](#)

Authored 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





## ECOMP – Entity Experience



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<https://owcp.industrypartners.dol.gov>

HOME



### 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

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## 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)

| REPORT                 | EMPLOYER                 | CARRIER                 | NATION                 |
|------------------------|--------------------------|-------------------------|------------------------|
| <b>DBA REPORTS BY:</b> | <a href="#">EMPLOYER</a> | <a href="#">CARRIER</a> | <a href="#">NATION</a> |

FISCAL YEAR REPORTS

| REPORT                         | EMPLOYER                 | CARRIER                 | NATION                 |
|--------------------------------|--------------------------|-------------------------|------------------------|
| <b>DBA REPORTS BY(FY2022):</b> | <a href="#">EMPLOYER</a> | <a href="#">CARRIER</a> | <a href="#">NATION</a> |
| <b>DBA REPORTS BY(FY2021):</b> | <a href="#">EMPLOYER</a> | <a href="#">CARRIER</a> | <a href="#">NATION</a> |



## Online Resources - Longshore Internet

- DBA Waivers page updated – Issued and Active

### Issued and Active Defense Base Act Waivers

Show 10 entries

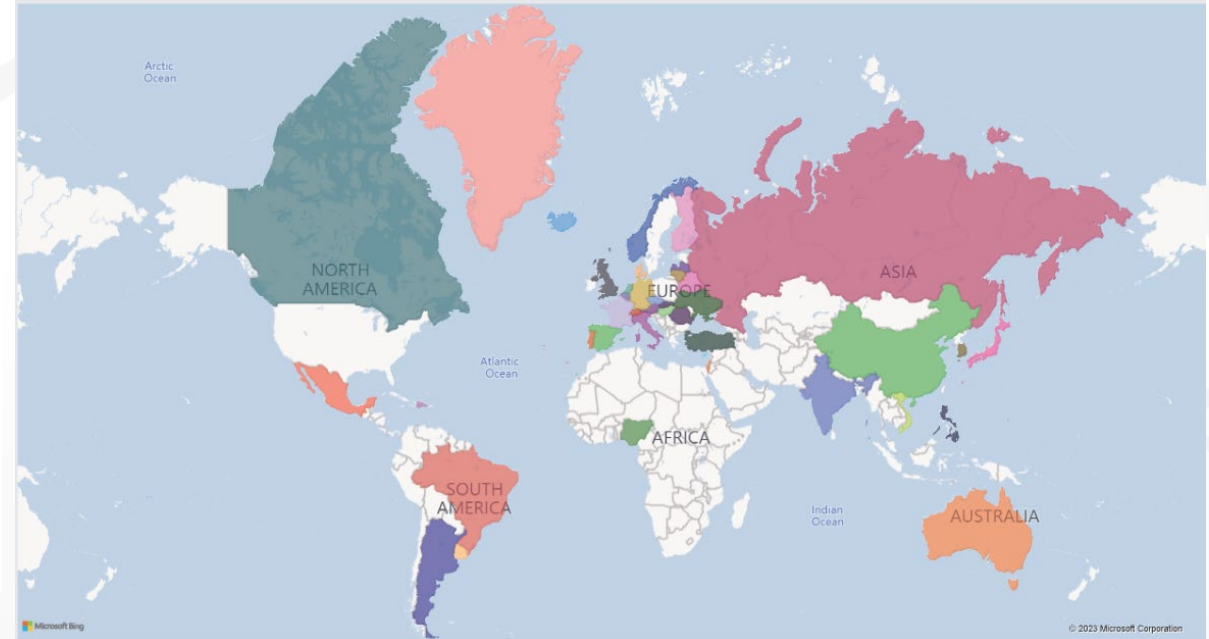
Search:

| Expiration Date (YYYY-MM-DD) ↑↓ | Location ↑↓                        | Type ↑↓    | Number ↑↓ | Issued Date (YYYY-MM-DD) ↑↓ |
|---------------------------------|------------------------------------|------------|-----------|-----------------------------|
| 2027-05-16                      | <a href="#">Bosnia-Herzegovina</a> | Geographic | 2022-11   | 2022-05-17                  |

Showing 1 to 1 of 1 entries (filtered from 45 total entries)

Previous **1** Next

Countries with active DBA waivers





## 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.

| Archived DBA Waivers |                       |            |           |             |
|----------------------|-----------------------|------------|-----------|-------------|
| Expiration Date      | Location              | Type       | Number    | Issued Date |
| 2012-10-01           | <a href="#">Spain</a> | Geographic | 2009-0502 | 2007-10-01  |



## Online Resources - SEAPortal

- Updated HELP menu with new resources

- Instructional video – **NEW!**

| Submit New Claim or Report of Injury | Check Status | **HELP**

- FAQs
- Longshore Home Page
- SEAPortal Training video
- Longshore Claims Forms Training video (Coming Soon!)
- ECOMP
- Document Category List

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### 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.

Submit a New Claim

Upload to an Existing Claim

- Forms training video – Coming Soon!



# Other Updates

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## 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.

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<br>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:<br>U.S. Department of Labor, Office of Workers' Compensation Programs<br>Division of Longshore and Harbor Workers' Compensation<br>400 West Bay Street, Suite 63A, Box 28<br>Jacksonville, FL 32202  |                  | Or upload directly to the case file using the Secure Electronic Access Portal (SEAPortal)<br><br>Access the SEAPortal directly at:<br><a href="https://seaportal.dol.gov/portal/">https://seaportal.dol.gov/portal/</a> |
| 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<br>(Provide the Case # and Amount for Each Case – up to 4 cases)   |                  |   |
| 9. Settlement Amount for Medical Treatment<br>(Provide the Case # and Amount for Each Case – up to 4 cases)  |                  |   |



## 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?