



Establishing Covered Employment

Presented by:

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(DEEOIC)

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Overview

- Covered Employment Under the Energy Employee's Occupational Illness Compensation Program Act (EEOICPA or Act)
- Various Employer Types Under Parts B and E
- Sources of Employment Evidence
- Employment Development Process
- Deciding on Covered Employment
- Strategies for Assisting in Process



Basic Function of the Act

- Provides lump-sum benefits and medical coverage for illness(es) arising from civilian work developing atomic weapons for the U.S. Government.
- Coverage extends to different categories of employees and illness types under Parts B and E.



Facility Types

- Employer Types under EEOICPA:
 - Atomic Weapons Employer (AWE)
 - Beryllium Vendors (BV)
 - Civilian workers of the Department of Energy (DOE) and its contractors or its Contractors or Subcontractors
 - Coverage under Radiation Exposure Compensation Program Act (RECA) Section 5



Employment: Part B vs. Part E

Part B

- Covers civilian employees of DOE or its contractors/subcontractors; and employees of AWEs, beryllium vendor, or Section 5 awardees.
- Applies to employees with cancer, beryllium illnesses, or illness accepted under Section 5 of RECA.

Part E

- Covers DOE contractors or subcontractors.
- Any illness claimed to be related to an occupational toxic substance exposure.



Atomic Weapons Employer

- Facility, owned by an AWE, that is or was used to process or produce material that emitted radiation and was used in the production of an atomic weapon for the U.S., excluding uranium mining or milling.
- Work occurred for AWE at its facility location.
 - Contractor or subcontractor services provided on or off site for an AWE facility is not covered.
- Coverage at the facility may be extended after the period of processing or production of radioactive material for use in a weapon. This is the “residual radiation period.”
 - Applies to employees of subsequent owners or operators of a residually contaminated AWE facility.



Beryllium Vendor

- Companies named in the Act, or those DOE has determined processed or produced beryllium for sale to, or use by, DOE.
- Under Part B, beryllium vendor employment extends to employees of the vendor, its contractors or subcontractors, and to any Federal employee who may have been exposed to beryllium at a facility owned or operated by the vendor.
 - Limited to coverage for beryllium sensitivity or Chronic Beryllium Disease (CBD).
 - No coverage for beryllium vendor employment under Part E.



DOE Facility

- Any building, structure, or premise in which operations are, or have been, conducted by, or on behalf of, DOE (or its predecessors).
- Evidence must document that DOE has or had either:
 - Proprietary interest at the location (including a lease or ownership of property); or
 - Entered a contact with an entity to provide management and operation, management and integration, environmental remediation services, construction or maintenance services.
- Predecessors of the current DOE National Nuclear Security Administration including Manhattan Engineer District (1942-1946), Atomic Energy Commission (1947-1975), Energy Research and Development Administration (1975-1977)



Radiation Exposure Compensation Act (RECA)

- Uranium workers covered under RECA Section 5 are treated the same as covered DOE workers under Parts B and E.
 - Section 5 of the RECA covers uranium workers employed in the mining, milling or transportation of ore.
 - Individuals employed in above-ground or underground mines; a uranium mill, or in transport of uranium ore or vanadium-uranium ore from mines or mills.
 - Employment occurred in uranium mines or mills located in Colorado, New Mexico, Arizona, Wyoming, South Dakota, Washington, Utah, Idaho, North Dakota, Oregon, and Texas.
 - Employment occurred at a covered mine or mill from January 1, 1942, to December 31, 1971.



Source of Employment Information

- Federal (EEOICPA) Procedure Manual (PM)
- DOE Covered Facility List
- Oak Ridge Institute for Science and Education (ORISE)
- DOE
- Social Security Administration (SSA)
- Center for Construction Research and Training (also known as CPWR)
- Co-worker or Knowledgably Person Affidavits
- Employee Records
- Site Exposure Matrix (SEM)



Basic Steps of Employment Development

1. Receive Claim with Employment History.
2. Match Claimed Employer to Known Covered Facility.
3. Employment verification through DOE/Corporate Verifier/SSA/CPWR.
4. Review Available Program Resources for Relevant Data – ORISE/SEM
5. When Necessary, Advise Claimant of Issues.
6. Assess Totality of Evidence to Make Finding on Covered Employment. (Not necessary to prove employment occurred, only a reasonable likelihood of the accuracy of claimed employment corroborated by reliable evidence.)



Special Circumstances

- Special Exposure Cohort (SEC) Requirements (Part B)
 - Worked at an SEC site for at least 250 aggregate workdays.
 - Must be during a specified covered SEC time period.
- Remediation (Site Clean Up) Employment
 - Must have been employed by contractor/subcontractor performing remediation activities.
 - Eligible for full range of benefits under Parts B and E.
- Silicosis Claims (Part B)
 - Exposure to silica dust precedes onset by 10 years.
 - Present for aggregate of 250 workdays during the mining of tunnels at a DOE facility in Nevada or Alaska.
- Facility Coverage Changes (Facility Type - Locations - Time - Boundaries)
 - Initiated based on case-specific issue – evaluated by Policy Branch and Solicitor of Labor



Establishing Covered Employment

- Complete EE-3 – Attach supplemental narratives that provide details of work activities.
- Engage honestly and descriptively during the Occupational History Questionnaire (OHQ) interview.
- Submit detailed affidavits from knowledgeable sources (co-workers, managers, etc.)
- Submit any employment evidence in your possession which supports your claim (items such as W-2 forms, tax returns, SSA records, retirement records, etc.)
- Learn about employment requirements by visiting the DEEOIC web page and accessing employment resources.



Where Do I Go For Assistance?

- Resource Centers – 11 Locations Nationwide
 - <https://www.dol.gov/agencies/owcp/energy/regs/compliance/ResourceMeetings/ResourceCenters>
- DEEOIC Website <http://www.dol.gov/owcp/energy/>
 - Contact Information
 - Site Exposure Matrix (SEM)
 - PM Chapter 13 – Establishing Covered Employment
 - Partner Agencies – DOE Facility List Database



Questions?



Questions can also be submitted to DEEOIC-Outreach@dol.gov

Thank you for attending the DEEOIC Webinar!