



Don't miss Debra D'Agostino's webinar, [Federal Workplace Reentry: Addressing New and Continuing Pandemic-Related Challenges](#), on Wednesday, Jan. 26, 2022, 12-1:30 p.m. ET. For more information on the webinar, visit www.lrpfederalwebinars.com/register.

DOL urges employees with mild COVID symptoms to file FECA claims

By Christina Lumbreras, Esq., **cyberFEDS®** Legal Editor

DID YOU KNOW? On social media, the Department of Labor has encouraged federal employees with mild [COVID-19](#) symptoms and those who are asymptomatic but with a positive test to file claims under the Federal Employees' Compensation Act. President Biden signed the American Rescue Plan Act of 2021, [H.R. 1319](#), on March 11, 2021, which makes it [easier](#) for federal employees diagnosed with COVID-19 to establish workers' compensation coverage.

A covered employee is deemed to have an injury proximately caused by exposure to the novel coronavirus arising out of the nature of the covered employee's employment. Such covered employee, or a beneficiary of the employee, is entitled to disability compensation, medical services, and survivor benefits.

A covered employee is defined as: 1) an employee who worked in federal service during the period beginning Jan. 27, 2020, and ending on Jan. 27, 2023; 2) was diagnosed with COVID-19 during that period; and 3) within 21 days of the diagnosis, had duties that required contact with patients, members of the public, or coworkers, or included a risk of exposure to the coronavirus.

Consequential injuries

If an employee experiences a [consequential injury](#) later as a result of COVID-19, a previously filed FECA claim will facilitate the processing of a claim for the consequential injury. An employee who did not previously file a claim must prove both the initial COVID-19 claim and the consequential injury for benefits to be awarded. The Employees' Compensation Appeals Board has found that there is no basis for establishing a consequential injury until the underlying condition has been accepted as employment related.

Resources on **cyberFEDS®**:

- [Coronavirus \(COVID-19\) Roundup](#)
- [Quick Start Guide: Infectious Disease -- WC Claims](#)
- [FECA Procedure Manual 2-0804 Performance of Duty](#)

Also see the [2022 Federal Personnel Guide](#), available in our [online store](#).

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Comments (2)

Posted By: Christina Lumbreras on Jan 7, 2022 at 14:54:35

Thank you for your comment. The dates in item 1 defining a covered employee are correct. To clarify, an employee can be covered if they who worked in federal service during the period beginning Jan. 27, 2020, and ending on Jan. 27, 2023.

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Posted By: [noaaverfie](#) on Jan 7, 2022 at 14:19:37

Article: DOL urges employees with mild COVID symptoms to file FECA claims 1. Is the date in item 1 correct (Jan. 27, 2020 and Jan. 27, 2023)? 2. Should the date read between Jan 27, 2020 "thru" instead of and Jan 27, 2023? Below is the date in the article: 1) an employee who worked in federal service between Jan. 27, 2020 and Jan. 27, 2023;

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