



# NATIONAL FEDERATION OF FEDERAL EMPLOYEES

Affiliated with the International Association of Machinists & Aerospace Workers, AFL-CIO

## What the Federal Firefighter Presumption Means for You

If you are a federal or wildland firefighter who has developed cancer, heart disease, or lung disease, the correct place to file your claim is with the Office of Workers' Compensation Programs (OWCP) at the U.S. Department of Labor. OWCP is the federal agency that administers the Federal Employees' Compensation Act (FECA) and has exclusive authority to decide firefighter occupational disease claims.

In 2022, Congress passed a law, 5 U.S.C. § 8143(b,) because too many federal firefighters were getting serious illnesses after years on the job and being told they still had to "prove" their disease was work-related. The law was designed to fix that problem. In plain terms, this statute creates a legal presumption that certain cancers and diseases are caused by federal fire protection activities. If you meet the basic service requirements and are diagnosed with a covered condition, OWCP is required to treat your illness as work-related. You are not supposed to need to fight over individual medical causation the way firefighters had to for decades.

The law applies to federal firefighters, including wildland firefighters, who have performed fire protection activities for a total of at least **five years**, counting both federal and non-federal service as long as there is some federal time. Seasonal work counts, so long as you worked at least five months or 870 hours in a year performing fire protection duties you may be covered. The years do not need to be consecutive.

The law covers many types of cancer and disease that medical science has long linked to firefighting, including lung, brain, kidney, bladder, thyroid, colorectal, prostate, and testicular cancers, as well as leukemia, lymphoma, multiple myeloma, melanoma, mesothelioma, chronic lung disease (COPD), and heart attacks or strokes that occur during or shortly after firefighting activity. OWCP has also formally added breast cancer, cervical cancer, uterine cancer, ovarian cancer, and basal cell carcinoma based on emerging medical evidence by the DOL has not yet placed these additional conditions in federal regulations.

There is one important time limit. Your diagnosis must occur within **ten years** of your last federal firefighting job, except for heart attacks and strokes, which must occur during or within 24 hours of emergency fire response.

To use this law, you must file a claim on a **Form CA-2**, which is the occupational disease claim form used by OWCP. This is critical. Cancer and respiratory diseases are not treated as traumatic injuries under FECA. Filing the wrong claim form can delay or derail a claim even if you otherwise qualify.

When you file, you should include your medical diagnosis and your firefighting work history, including agencies, dates of service, and whether your work involved active fire protection. OWCP has a special claims handling process for firefighter cases and is supposed to apply the presumption once your service and diagnosis are established.

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If you do not meet every technical requirement of the statute, that does not mean you cannot win. It only means the automatic presumption may not apply. FECA still allows occupational disease claims to be accepted based on medical evidence, exposure history, and expert opinion. The same scientific evidence that supports the presumption can still support your claim.

This law exists because firefighting is inherently dangerous and because decades of science already established what the system once refused to acknowledge. You should not have to prove what your job already made inevitable.

Please contact NFFE National VP Bob Beckley at [bbeckley@nffe.org](mailto:bbeckley@nffe.org) for more information.

For the official OWCP explanation of this law and how to file, see:

<https://www.dol.gov/sites/dolgov/files/OWCP/feca/OWCPFactSheet-FairnessforFederalfirefighters.pdf>