

QUICK REFERENCE GUIDE

COVID-19

What Are My Workers' Compensation Options?

A federal employee who contracts COVID-19 while in performance of their job duties, or sustains injuries as a result of deleterious effects of the COVID-19 vaccine (furnished or sponsored by NIH), would have the full coverage of the Federal Employees' Compensation Act (FECA) for related medical treatment and for wage loss or disability related to that condition.

To establish coverage for COVID-19, you must submit a medical report from a qualified physician reflecting a positive test result for COVID-19 based on established employment-related exposure to COVID-19. Exposure to COVID-19 alone does not constitute a work-related injury and does not entitle you to medical treatment under the FECA. You must be diagnosed with COVID-19 to potentially be afforded coverage.

To establish coverage as a result of injuries sustained from the COVID-19 vaccine, you must submit a medical report from a qualified physician indicating that the vaccine was furnished or sponsored by the agency and the side-effects of the vaccine caused you to receive medical treatment.

To file a CA-1, Notice of Traumatic Injury, use the Employees' Compensation Operations & Management Portal (ECOMP) at www.ecomp.dol.gov. For more information on filing a CA-1, Traumatic Injury Claim, contact the [NIH Workers' Compensation Office](#) at 301-402-2669 or wcp@mail.nih.gov.

What Type Of Leave Am I Eligible For?

EMERGENCY PAID SICK LEAVE (EPSL)

EPSL is a paid sick leave category recently established by the [Department of Labor](#). EPSL provides employees with up to 80 hours of paid sick leave for the following reasons:

1. An employee is subject to a Federal, State, or local quarantine or isolation order related to COVID-19;
2. An employee has been advised by a health care provider to self-quarantine related to COVID-19;
3. An employee is experiencing COVID-19 symptoms and is awaiting a medical diagnosis or after receiving confirmation of a positive COVID-19 test;
4. An employee is caring for an individual who is subject to governmental or self-quarantine;
5. An employee is caring for his or her son or daughter because the child's school or child-care provider is unavailable, for reasons related to COVID-19; or
An employee is experiencing a substantially similar circumstance related to COVID-19 as specified by the Secretary of Health and Human Services in consultation with the Secretary of Labor and the Secretary of the Treasury. *NOTE: No such condition has been specified at this time.*

This Leave Category Is For Retroactive Use For LWOP From April 1, 2020 – December 31, 2020.

SICK LEAVE

Employees who are home sick either awaiting test results, waiting to receive confirmation of a positive COVID-19 test, or are experiencing symptoms following a dose of the vaccine are eligible to request and use their own sick leave. Employees who use their own sick leave are eligible to receive 100% of their pay for all of the employee's sick leave used.

EXCUSED ABSENCE

Up to 4 hours of excused absence can be provided to employees for travel and vaccination for each individual dose of the COVID-19 vaccine, received either through NIH or an outside source. If employees need more than 4 hours of excused absence for receiving the vaccine or if employees experience symptoms following receipt of the vaccine, they should request sick and/or annual leave to cover their excess absence, or work with their supervisor to discuss other flexibilities such as alternative work schedules. Employees are required to notify their supervisor if they are getting a COVID-19 vaccination during normal tour hours.

WEATHER AND SAFETY LEAVE

Employees who are unable to safely travel to and from work are eligible for weather and safety leave. If an employee is [telework](#) eligible, they would not be eligible for weather and safety leave and should continue to telework unless advised otherwise by their supervisor.

NIH LEAVE BANK/VLTP

The [NIH Leave Bank](#) can provide paid leave to employees who are enrolled as members of the program and experience a personal or family medical emergency, including emergencies related to COVID-19. To receive Leave Bank hours, the member must complete the NIH Leave Bank application packet, including supporting medical documentation and submit it to the Leave Bank Office. For more information, please contact the NIH Leave Bank at 301-443-8393.

The VLTP can also provide paid leave to an NIH employee diagnosed with COVID-19 or who has a qualifying family member requiring their care who is diagnosed with COVID-19. To apply for VLTP hours, the employee should contact their IC's VLTP Coordinator to inquire about the application process.

Can I Telework?

At this time, NIH Leadership's expectation is that everyone who is able to [telework](#) is currently doing so. If you are an employee who is generally eligible to telework and you are asymptomatic but instructed to quarantine, it is the expectation that you are teleworking. If you are ill, it is the general expectation that you are on sick leave. However, if you feel well enough to telework, we encourage you to do so.

If you are an employee who is generally not eligible to telework due to the type of duties you have, but you feel well enough to work from home, please partner with your supervisor to work on identifying any portable duties that may be completed remotely.

Ultimately, we advise that all employees work with their supervisor to determine individual telework capabilities.

Who Can I Contact For More Information?

- NIH Workers' Compensation Program: 301-402-2669 or wcp@mail.nih.gov
- NIH Leave Bank Program: 301-443-8393 or LeaveBank@od.nih.gov
- Workplace Flexibilities Team: WorkFlex@mail.nih.gov