

# WORKERS COMPENSATION

## Continuation of Pay (COP)

### **What is COP?**

COP is continuation of an employee's regular pay for up to 45 calendar days (this includes weekends and holidays) of wage loss due to disability and/or medical treatment. It is paid by the employer only in connection with a traumatic injury. Employees with occupational disease claims are not eligible to receive COP.

The intent of Continuation of Pay (COP) is to avoid interruption of the employee's income while the case is being adjudicated by the Department of Labor (DOL) if the employee is NOT able to return to work. COP is subject to usual payroll deductions such as: income tax, retirement, allotments, etc.

### **What are the Employee's responsibilities in COP cases? (Ref. 20 CFR 10.210)**

An employee, who sustains a traumatic injury which he or she considers disabling, or someone authorized to act on his or her behalf, must take the following actions to ensure continuing eligibility for COP. The employee must:

- (a) Complete and submit Form CA-1 to the employing agency as soon as possible, but no later than 30 days from the date the traumatic injury occurred.
- (b) Ensure that medical evidence supporting disability resulting from the claimed traumatic injury, including a statement as to when the employee can return to his or her date of injury job, is provided to the employer within 10 calendar days after filing the claim for COP.

- (c) Ensure that relevant medical evidence is submitted to OWCP, and cooperate with OWCP in developing the claim.
- (d) Ensure that the treating physician **specifies** work limitations and provides them to the employer and/or representatives of OWCP.
- (e) Provide to the treating physician a description of any specific alternative positions offered the employee, and ensure that the treating physician responds promptly to the employer and/or OWCP, with an opinion as to whether and how soon the employee could perform that or any other specific position.

**Important tips:**

- To be eligible for COP, you will need medical evidence stating you are not able to work due to your work injury.
- When counting COP days, you must use calendar days not work days. This includes holidays and weekends (days off). Additionally, you do not count hours, only days e.g. if one hour is used to see a physician and seven hours are worked, it is still counted as one day of COP.
- When you code your time you should use the following when you are on COP:

Day of Injury – use code 060

Weekdays – use code 160

Weekends – use code 161

**Please fax any medical documentation to the attention of Annie Banks to Fax number (208) 334-1565 and she will submit the documentation to the DOL. You can reach Annie via email at [annabella\\_banks@ios.doi.gov](mailto:annabella_banks@ios.doi.gov) or by phone (208) 334-1555.**