

INACTIVE - ALL ITEMS SUPERSEDED OR OBSOLETE

Schedule Number: N1-271-95-001

All items in this schedule are inactive. Items are either obsolete or have been superseded by newer NARA approved records schedules.

Description:

This schedule is superseded by N1-271-02-001 item 60.

Date Reported: 08/27/2020

INACTIVE - ALL ITEMS SUPERSEDED OR OBSOLETE

REQUEST FOR RECORDS DISPOSITION AUTHORITY*(See Instructions on reverse)*TO: NATIONAL ARCHIVES and RECORDS ADMINISTRATION (NIR)
WASHINGTON, DC 20408

1. FROM (Agency or establishment)

U. S. Department of Labor

2. MAJOR SUBDIVISION

Employment Standards Administration

3. MINOR SUBDIVISION Office of Workers' Compensation
Programs, Div. of Longshore & Harbor Workers' Comp.4. NAME OF PERSON WITH WHOM TO CONFER
Dottie Chester5. TELEPHONE
202-219-8447

LEAVE BLANK (NARA use only)

JOB NUMBER

NI-271-95-1

DATE RECEIVED

1-18-95

NOTIFICATION TO AGENCY

In accordance with the provisions of 44 U.S.C. 3303a the disposition request, including amendments, is approved except for items that may be marked "disposition not approved" or "withdrawn" in column 10.

DATE for ARCHIVIST OF THE UNITED STATES

3/1/95

James D. Sykes

6. AGENCY CERTIFICATION

I hereby certify that I am authorized to act for this agency in matters pertaining to the disposition of its records and that the records proposed for disposal on the attached 1 page(s) are not now needed for the business of this agency or will not be needed after the retention periods specified; and that written concurrence from the General Accounting Office, under the provisions of Title 8 of the GAO Manual for Guidance of Federal Agencies,



is not required;



is attached; or



has been requested.

DATE

1/12/95

SIGNATURE OF AGENCY REPRESENTATIVE

Edith A. Pe...

TITLE

DEPT. L. Records Officer

7. ITEM NO.

8. DESCRIPTION OF ITEM AND PROPOSED DISPOSITION

9. GRS OR
SUPERSEDED
JOB CITATION10. ACTION
TAKEN (NARA
USE ONLY)

OFFICE OF WORKERS' COMPENSATION PROGRAMS
DIVISION OF LONGSHORE & HARBOR WORKERS' COMPENSATION
The Longshore and Harbor Workers' Compensation Act (LHWCA) and its extensions, administered by the U.S. Department of Labor's Employment Standards Administration (ESA), Office of Workers' Compensation Programs (OWCP), provide medical benefits, compensation for lost wages, and rehabilitation services to employees who are injured during the course of employment or contract an occupational disease related to employment. Survivor benefits also are provided if the work-related injury causes the employee's death.

These benefits are paid directly by an authorized self-insured employer; or, through an authorized insurance carrier; or, in particular circumstances, by a Special Fund.

The original law, entitled Longshoremen's and Harbor Worker's Compensation Act (Public Law 803), was enacted in 1927. The Act resolved a problem of worker coverage when the worker's activity was on the navigable waters of the United States. Before enactment of the law, state workers' compensation programs applied to injuries occurring on land, and the Supreme Court had held that a state could not extend its workers' compensation remedy to cover longshoremen injured over the navigable waters of the U.S. The Act provided uniform continuous protection for workers covered by its provisions.

NC1-271-80-1, Item 29

Copies sent to agency, NCF 3/9/95

OFFICE OF WORKERS' COMPENSATION PROGRAMS

DIVISION OF LONGSHORE AND HARBOR WORKERS' COMPENSATION ACT

1. Lost Time Cases under the Longshore and Harbor Workers' Compensation Act, The Defense Base Act, the Outer Continental Shelf Lands Act, and/or the Nonappropriated Fund Instrumentalities Act. Privacy Restrictions: YES

a. Part (a) Case Files

Files containing claims, correspondence, reports and related records resulting from injuries sustained by employees while working for employers who are covered under the Longshore and Harbor Workers' Compensation Act, the Outer Continental Shelf Lands Act, and/or the Nonappropriated Fund Instrumentalities Act. Time was lost from work as a result of such injuries, and/or compensation was paid.

Disposition: Retain in the Office as an active file as long as the claimant or beneficiary continues to receive compensation benefits. Transfer claim to closed status upon death of claimant if there are no surviving dependents. However, retain in the Office as long as there are qualified dependents remaining. Transfer to FRC two (2) years after case is finally closed. Destroy 20 years after case is closed.

b. Part (b) Records, Transcripts, Exhibits from ALJ Formal Hearings; Benefits Review Board, Court of Appeals or Supreme Court.

Disposition: Transfer to FRC two (2) years after final adjudication/ approval of claim by either the ALJ, Benefits Review Board, Court of Appeals or Supreme Court and it is deemed that no further judicial procedures will be required for the life of the claim. Destroy 20 years after a final determination of approval by either of the aforementioned bodies.

Privacy Act Systems of Records DOL/ESA-15.