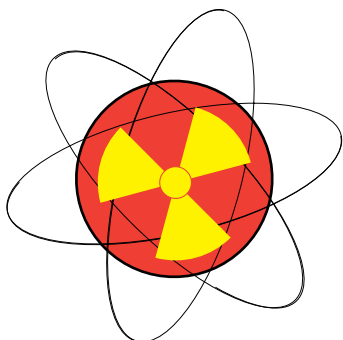


Office of the  
**Ombudsman**



**SPECIAL  
EXPOSURE  
COHORT  
(SEC)**

Energy Employees  
Occupational Illness  
Compensation Program  
Act (EEOICPA)



U.S. Department of Labor

## **HOW DO I QUALIFY AS A MEMBER OF A SPECIAL EXPOSURE COHORT CLASS?**

To qualify for compensation as a member of a Special Exposure Cohort (SEC) class, a covered employee must have worked for a specified period of time at a SEC work site.

## **WHAT ARE THE SEC WORK SITES?**

EEOICPA originally established four (4) SEC classes, which includes employees who worked at gaseous diffusion plants in Paducah, Kentucky; Portsmouth, Ohio; or Oak Ridge, Tennessee, for a total of at least 250 days before February 1, 1992 and were monitored for radiation exposure with dosimetry badges or had jobs with similar exposures to those monitored, and employees who worked before January 1, 1974, on Amchitka Island, Alaska, and were exposed to radiation related to the Long Shot, Milrow or Cannikin underground nuclear tests.

EEOICPA also authorizes the Secretary of Health and Human Services (HHS) to add other classes of employees to the SEC.

A current listing of all additional SEC work sites can be found on DEEOIC's Web site at: <http://www.dol.gov/owcp/energy/regs/compliance/law/SEC-Employees.htm> or on NIOSH's Division of Compensation Analysis and Support (DCAS) Web site at: <https://www.cdc.gov/niosh/ocas/ocassec.html>.

# **PATH TO COMPENSATION FOR SEC CLASS MEMBERS**

**The Energy Employees  
Occupational Illness  
Compensation Program Act  
(EEOICPA) establishes the  
Special Exposure Cohort.  
If a claimant qualifies for  
inclusion in a SEC class and  
has been diagnosed with a  
specified cancer, the claimant  
receives compensation for  
cancer(s) caused by exposure  
to radiation without the  
completion of a radiation dose  
reconstruction by the National  
Institute for Occupational  
Safety and Health (NIOSH)  
and without a determination  
by the Department of Labor's  
Division of Energy Employees  
Occupational Illness  
Compensation (DEEOIC) of the  
probability of causation (PoC).**



# WHAT ARE THE SPECIFIED CANCERS COVERED UNDER THE SEC?



- **Primary or secondary:**
  - ★ **Bone cancer**
  - ★ **Renal cancer**
  - ★ **Lung cancer** (other than in situ lung cancer that is discovered during or after a post-mortem exam)
- **Leukemia** (other than chronic lymphocytic leukemia) provided that the onset of the disease was at least two years after initial exposure
- **Multiple myeloma** provided onset was at least 5 years after the initial exposure
- **Lymphomas** (other than Hodgkin's disease) provided onset was at least 5 years after the initial exposure



- **Primary cancer of the following** (provided onset was at least 5 years after the initial exposure):
  - ★ **bile ducts**
  - ★ **brain** (malignancies only, does not include intracranial endocrine gland and other parts of the central nervous system)
  - ★ **breast, female and male**
  - ★ **colon** (including rectum and appendix)
  - ★ **esophagus**
  - ★ **gall bladder**
  - ★ **liver** (except if cirrhosis or hepatitis B is indicated)
  - ★ **ovary**
  - ★ **pancreas**
  - ★ **pharynx** (including the soft palate, base of the tongue, and the tonsils)
  - ★ **salivary glands**
  - ★ **small intestine**
  - ★ **stomach**
  - ★ **thyroid**
  - ★ **urinary bladder**



### **WHAT IS THE SEC DESIGNATION PROCESS?**

The designation process begins with a petition submitted to NIOSH by an employee(s) or their survivor(s), authorized representative(s), or by a labor organization representing the employee(s). NIOSH can also initiate a petition.

- a) NIOSH evaluates the petition to determine if it meets the minimum qualifications for review. If it does, NIOSH completes an evaluation of the petition and forwards the evaluation and the petition to the Advisory Board on Radiation and Worker Health (the Advisory Board) for review. Note: the President appoints the Advisory Board to advise the Department of Health and Human Services (HHS) on its activities under EEOICPA.
- b) During one of its regular Advisory Board meetings, the Advisory Board reviews NIOSH's evaluation, hears from the petitioners, and reviews any other information appropriate for the petition.
- c) The Advisory Board submits a recommendation on a new SEC class to the Secretary of HHS.

## SPECIAL EXPOSURE COHORT (SEC)

- d) The Secretary of HHS makes the final decision to add or deny a new class to the SEC based on the recommendation of the Advisory Board and NIOSH's evaluation. The Secretary of HHS issues a designation letter to Congress with the definition of the class within 30 days of receiving the Advisory Board's recommendation.
- e) A new SEC class becomes effective 30 calendar days after Congress receives the Secretary's designation letter.
- f) The Secretary of HHS provides a report to DOL containing the definition of the class and either the addition of the class to the SEC or the result of any action by Congress to reverse or expedite the decision.
- g) Following the identification of a new SEC class, the Department of Labor reviews all affected cases and makes a determination on whether an employee meets the criteria for inclusion in the new class.

# **FOR MORE INFORMATION**

## **CONTACT THE OFFICE OF THE OMBUDSMAN**

Toll free telephone number:

1-877-662-8363

Fax number: 202-693-5899

E-mail: [ombudsman@dol.gov](mailto:ombudsman@dol.gov)

Web site: [www.dol.gov/eeombd](http://www.dol.gov/eeombd)

## **MAILING ADDRESS**

Office of the Ombudsman  
U.S. Department of Labor  
200 Constitution Avenue, NW  
Room N-2454  
Washington,  
District of Columbia 20210

or:

## **CONTACT THE NATIONAL INSTITUTE FOR OCCUPATIONAL SAFETY AND HEALTH (NIOSH)**

Web site at: [www.cdc.gov/niosh/ocas](http://www.cdc.gov/niosh/ocas)

or contact NIOSH toll free at

1-877-222-7570 or

by email at [DCAS@cdc.gov](mailto:DCAS@cdc.gov).

or:

## **CONTACT THE DEPARTMENT OF LABOR'S DIVISION OF ENERGY EMPLOYEES OCCUPATIONAL ILLNESS COMPENSATION (DEEOIC)**

Web site at: [www.dol.gov/owcp/energy/](http://www.dol.gov/owcp/energy/)

or call toll-free at 1-866-888-3322.