

ผนวก ก

กฎหมายเงินทดแทนของประเทศสหรัฐอเมริกา
Federal Employees' Compensation Act 1993
(FECA)

§8101 Definitions¹

For the purpose of this subchapter

(5) “injury” includes, in addition to injury by accident, a disease proximately caused by the employment, and damage to or destruction of medical brace, artificial limbs, and other prosthetic devices which shall be replaced or repaired, and such time lost while such device or appliance is being replaced or repaired; except that eyeglasses and hearing aids would not be replaced, repaired or otherwise compensated for, unless the damages or destruction is incident to a personal injury requiring medical services;

§8102 Compensation for disability or death of employee²

(a) The United States shall pay compensation as specified by this subchapter for the disability or death of an employee resulting from personal injury sustained while in the performance of his duty, unless the injury or death is—

- (1) caused by willful misconduct of the employee;
- (2) caused by the employee's intention to bring about the injury or death of himself or of another; or
- (3) proximately caused by the intoxication of the injured employee.

¹ U.S. Department of Labor, “§8101 Definitions,” <<http://www.umet-vets.dol.gov/esa/regs/compliance/owcp/laws/8101.htm>>, (2 January 2006.)

² U.S. Department of Labor, “§8102 Compensation for disability or death of employee,” <<http://www.umet-vets.dol.gov/esa/regs/compliance/owcp/laws/8102.htm>>, (2 January 2006).

(b) Disability or death from a war-risk hazard or during or as a result of capture , detention , or other restraint by a hostile force or individual , suffered by an employee who is employed outside the continental United States or in Alaska or in the areas and installations in the Republic of Panama made available to the United States pursuant to the Panama Canal Treaty of 1977 and related agreements (as described in section 3(a) of the Panama Canal Act of 1979) , is deemed to have resulted from personal injury sustained while in the performance of his duty , whether or not the employee was engaged in the course of employment when the disability or disability resulting in death occurred or when he was taken by the hostile force or individual. This subsection does not apply to an individual--

(1) whose residence is at or in the vicinity of the place of his employment and who was not living there solely because of the exigencies of his employment , unless he was injured or taken while engaged in the course of his employment ; or

(2) who is a prisoner of war or a protected individual under the Geneva Convention of 1949 and is detained or utilized by the United States.

This subsection does not affect the payment of compensation under this subchapter derived otherwise than under this subsection , but compensation for disability or death does not accrue for which pay , other benefit , or gratuity from the United States accrues to the disabled individual or his dependents on account of detention by the enemy or because of the same disability or death , unless that pay , benefit , or gratuity is refunded or renounced.