

U. S. DEPARTMENT OF LABOR

Employees' Compensation Appeals Board

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In the Matter of MARY WATSON and U.S. POSTAL SERVICE,  
POST OFFICE, Detroit, Mich.

*Docket No. 96-2015; Submitted on the Record;  
Issued July 20, 1998*

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DECISION and ORDER

Before MICHAEL J. WALSH, DAVID S. GERSON,  
BRADLEY T. KNOTT

The issue is whether appellant's carpal tunnel syndrome is causally related to the April 24, 1994 employment injury.

The Board has duly reviewed the case record and finds that appellant has not established that her carpal tunnel syndrome is causally related to the April 24, 1994 employment injury.

On April 24, 1994 appellant, then a 42-year-old casual mailhandler, filed a claim for a traumatic injury, Form CA-1, alleging that she bruised her right wrist. Appellant did not miss any work. The Office accepted appellant's claim for a contusion of the right wrist. Appellant subsequently filed a claim for an occupational disease alleging that she sustained carpal tunnel syndrome at work. Appellant stated that her daily routine at home was very uncomfortable when she used her wrist and she could not do many activities. Appellant submitted a medical report from Dr. James E. Beale, an orthopedic surgeon, dated November 2, 1995 to support her claim. Dr. Beale stated that appellant gave no history of injury but complained of pain and numbness in the right wrist and hand. Based on a physical examination and the results of a May 22, 1995 electromyogram, Dr. Beale diagnosed tendinitis to the right wrist and possible carpal tunnel syndrome. He stated that because appellant did not provide a history of the alleged injury, he could not state whether there was a relationship between appellant's possible carpal tunnel syndrome and her job.

By decision dated November 20, 1995, the Office denied appellant's claim stating that the evidence of record failed to establish that the claimed medical condition or disability is causally related to the April 24, 1994 employment injury.

By letter dated December 12, 1995, appellant requested an oral hearing before an Office hearing representative which was held on May 6, 1996. At the hearing, appellant testified that when she returned to work after the April 24, 1994 employment injury, the condition of her right wrist worsened, and she was laid off as part of a general layoff in September 1994. Appellant

did not return to her job at the employing establishment although she worked for another employer and worked for the employing establishment at another office at Christmas. Appellant stated her right wrist continued to bother her and she was fired from one job because she was not able to perform the work.

Appellant also submitted a progress note dated June 1, 1994 from Dr. Raymond Woo, an orthopedic surgeon, who performed a physical examination, reviewed an x-ray, and diagnosed de Quervain's tenosynovitis of the right hand. He stated that appellant complained of a swollen right forearm for the last year and two months.

By decision dated May 22, 1996, the Office affirmed the Office's November 20, 1995 decision.

An employee seeking benefits under the Act has the burden of establishing the essential elements of his or her claim including the fact that the individual is an "employee of the United States" within the meaning of the Act, that the claim was filed within the applicable time limitation of the Act, that an injury was sustained in the performance of duty as alleged and that any disability and/or specific condition for which compensation is claimed is causally related to the employment injury.<sup>1</sup> These are the essential elements of each and every compensation claim regardless of whether the claim is predicated upon a traumatic injury or occupational disease.<sup>2</sup>

To establish that an injury was sustained in the performance of duty, an appellant must submit the following: (1) medical evidence establishing the presence or existence of the condition for which compensation is claimed; (2) a factual statement identifying employment factors alleged to have caused or contributed to the condition; and (3) medical evidence establishing that the employment factors identified by the claimant were the proximate cause of the condition for which compensation is claimed or, stated differently, medical evidence establishing that the diagnosed condition is causally related to the employment factors identified by the claimant. The medical evidence required to establish causal relationship, generally, is rationalized medical evidence. Rationalized medical opinion evidence is medical evidence which includes a physician's rationalized opinion on the issue of whether there is a causal relationship between appellant's diagnosed condition and the implicated employment factors. The opinion of the physician must be based on a complete factual and medical background of the claimant, must be one of reasonable medical certainty, and must be supported by medical rationale explaining the nature of the relationship between the diagnosed condition and the specific employment factors identified by appellant.<sup>3</sup>

In the present case, appellant has not submitted any medical evidence to establish that her alleged carpal tunnel syndrome is causally related to the April 24, employment injury. In his October 3, 1995 report, Dr. Beale stated that appellant had tendinitis and possible carpal tunnel syndrome but he could not state whether appellant's condition was work related because

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<sup>1</sup> *Elaine Pendleton*, 40 ECAB 1143, 1145 (1989).

<sup>2</sup> *Daniel J. Overfield*, 42 ECAB 718, 721 (1991).

<sup>3</sup> *See Victor J. Woodhams*, 41 ECAB 345, 352 (1989).

appellant did not provide a history of injury. His opinion is not probative because his diagnosis of “possible carpal tunnel syndrome” is speculative<sup>4</sup> and he did not provide a medical rationale addressing the cause of appellant’s condition.<sup>5</sup> Moreover, the progress note from Dr. Woo dated June 2, 1994 which diagnosed de Quervain’s tenosynovitis of the right hand did not address the cause of appellant’s condition. Although the Office provided appellant with the opportunity, appellant did not present sufficient evidence to establish her claim.

Accordingly, the decisions of the Office of Workers’ Compensation Programs dated May 22, 1996 and November 20, 1995 are hereby affirmed.

Dated, Washington, D.C.  
July 20, 1998

Michael J. Walsh  
Chairman

David S. Gerson  
Member

Bradley T. Knott  
Alternate Member

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<sup>4</sup> See *William W. Wright*, 45 ECAB 498, 504 (1994).

<sup>5</sup> See *Victor J. Woodhams*, *supra* note 3 at 352.