

U. S. DEPARTMENT OF LABOR

Employees' Compensation Appeals Board

In the Matter of RICHARD H. ROHATSCH and U.S. POSTAL SERVICE,
MAIN POSTAL FACILITY, Oakland Park, Fla.

*Docket No. 97-2754; Submitted on the Record;
Issued June 7, 1999*

DECISION and ORDER

Before DAVID S. GERSON, MICHAEL E. GROOM,
A. PETER KANJORSKI

The issue is whether appellant has met his burden of proof in establishing that his bilateral shoulder condition was causally related to factors of his employment.

On March 8, 1997 appellant, then a 49-year-old mail processor, filed a claim for severe pain in both shoulders which he related to his duties at work. In a subsequent statement, he indicated that the pain in his shoulders began in November or December 1996. Appellant stated that, because of a manpower shortage at work, he had to work alone instead of with a required second person. He indicated that he worked at a machine which sorted mail into 4 rows of 50 bins. Appellant constantly had to swept the mail from the bins into trays. Appellant reported that he would be engaged in repetitive lifting throughout his workshift in sweeping the bins and lifting trays of mail.

In a July 31, 1997 decision, the Office of Workers' Compensation Programs denied his claim for compensation on the grounds that he had not established that he had sustained an injury causally related to his employment.

The Board finds that appellant has not met his burden of proof in establishing that his bilateral shoulder is causally related to his employment.

To establish that an injury was sustained in the performance of duty in an occupational disease claim, a claimant must submit the following: (1) medical evidence establishing the presence or existence of the disease or condition for which compensation is claimed;¹ (2) a factual statement identifying the employment factors alleged to have caused or contributed to the presence or occurrence of the disease or condition;² 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

¹ See *Ronald K. White*, 37 ECAB 176, 178 (1985).

² See *Walter D. Morehead*, 31 ECAB 188, 194 (1979).

diagnosed condition is causally related to the employment factors identified by the claimant.³ The medical evidence required to establish causal relationship, generally, is rationalized medical opinion 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 the claimant'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,⁴ must be one of reasonable medical certainty,⁵ and must be supported by medical rationale explaining the nature of the relationship between the diagnosed condition and the specific employment factors identified by the claimant.⁶

The only medical evidence submitted by appellant were form reports from a physician with an illegible signature who indicated that appellant engaged in repetitive lifting. The doctor supported causal relationship by checking a box that appellant's condition was work related. However, the Board has held that such a report has little probative value where there is no explanation or rationale supporting the opinion on causal relationship between the diagnosed condition and the employment-related injury.⁷ Appellant therefore has not met his burden of proof in establishing that his bilateral shoulder condition was causally related to his employment.

The decision of the Office of Workers' Compensation Programs dated July 31, 1997 is hereby affirmed.

Dated, Washington, D.C.
June 7, 1999

David S. Gerson
Member

Michael E. Groom
Alternate Member

A. Peter Kanjorski
Alternate Member

³ See generally *Lloyd C. Wiggs*, 32 ECAB 1023, 1029 (1981).

⁴ *William Nimitz, Jr.*, 30 ECAB 567, 570 (1979).

⁵ See *Morris Scanlon*, 11 ECAB 384, 385 (1960).

⁶ See *William E. Enright*, 31 ECAB 426, 430 (1980).

⁷ See *Lillian M. Jones*, 34 ECAB 379, 381 (1982).