

U. S. DEPARTMENT OF LABOR

Employees' Compensation Appeals Board

In the Matter of CHARLOTTE L. AJOSE and U.S. POSTAL SERVICE,
POST OFFICE, Chicago, IL

*Docket No. 99-1332; Submitted on the Record;
Issued June 12, 2000*

DECISION and ORDER

Before MICHAEL J. WALSH, MICHAEL E. GROOM,
A. PETER KANJORSKI

The issue is whether appellant sustained an injury while in the performance of her duties.

In a decision dated December 8, 1998, the Office of Workers' Compensation Programs denied appellant's claim on the grounds that she failed to establish that her arthritis condition was causally related to her federal employment.

The Board finds that the evidence of record is insufficient to establish that appellant sustained an injury while in the performance of her duties.

An employee seeking benefits under the Federal Employees' Compensation Act¹ has the burden of proof to establish the essential elements of her claim. When an employee claims that she sustained an injury in the performance of duty, she must submit sufficient evidence to establish that she experienced a specific event, incident or exposure occurring at the time, place and in the manner alleged. She must also establish that such event, incident or exposure caused an injury.²

Causal relationship is a medical issue,³ and the medical evidence generally required to establish causal relationship is rationalized medical opinion evidence. Rationalized medical opinion evidence is medical evidence that includes a physician's rationalized opinion on whether there is a causal relationship between the claimant's diagnosed condition and the established incident or factor of employment. The opinion of the physician must be based on a complete

¹ 5 U.S.C. §§ 8101-8193.

² See generally *John J. Carlone*, 41 ECAB 354 (1989); *Abe E. Scott*, 45 ECAB 164 (1993); see also 5 U.S.C. § 8101(5) ("injury" defined); 20 C.F.R. §§ 10.5(a)(15) - .5(a)(16) ("traumatic injury" and "occupational disease or illness" defined).

³ *Mary J. Briggs*, 37 ECAB 578 (1986).

factual and medical background of the claimant,⁴ must be one of reasonable medical certainty⁵ and must be supported by medical rationale explaining the nature of the relationship between the diagnosed condition and the established incident or factor of employment.⁶

Appellant claims that her occupational exposure to extremely cold conditions caused or contributed to the chronic arthritis in her knees and left hip. On May 27, 1998 the Office requested that she submit additional evidence, including her physician's reasoned opinion on the cause of her condition. "Specifically," the Office advised, "if your doctor feels that exposure or incidents in your federal employment contributed to your condition, an explanation of how such exposure contributed should be provided." Appellant submitted no such evidence. The Office denied her claim in decisions dated July 23 and December 8, 1998. Because appellant submitted no medical opinion evidence supporting that her occupational exposure to extremely cold conditions caused or contributed to the chronic arthritis in her knees and left hip, the Board finds that she has failed to make a *prima facie* case for compensation.⁷

The December 8 and July 23, 1998 decisions of the Office of Workers' Compensation Programs are affirmed.

Dated, Washington, D.C.
June 12, 2000

Michael J. Walsh
Chairman

Michael E. Groom
Alternate Member

A. Peter Kanjorski
Alternate Member

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* Federal (FECA) Procedure Manual, Part 2 -- Claims, *Development of Claims*, Chapter 2.800.2.g., .3.a. (April 1993) (a person claiming compensation must show sufficient cause for the Office to proceed with processing and adjudicating a claim by submitting the essentials of a *prima facie* case); *see Norman E. Underwood*, 43 ECAB 719 (1992).