

U. S. DEPARTMENT OF LABOR

Employees' Compensation Appeals Board

In the Matter of WANDA J. HUCKINS and DEPARTMENT OF VETERANS AFFAIRS,
MEDICAL CENTER, Cincinnati, OH

*Docket No. 99-2307; Submitted on the Record;
Issued September 14, 2000*

DECISION and ORDER

Before WILLIE T.C. THOMAS, PRISCILLA ANNE SCHWAB,
VALERIE D. EVANS-HARRELL

The issue is whether appellant established that she sustained an injury in the performance of duty on January 19, 1990.

The Board has given careful consideration to the issue involved, appellant's contentions on appeal and the entire case record. The Board finds that the decision of the hearing representative of the Office of Workers' Compensation Programs dated March 18, 1999 is in accordance with the facts and the law in this case, and hereby adopts the findings and conclusions of the Office hearing representative.¹

¹ In order to determine whether an employee sustained a traumatic injury in the performance of duty, the Office begins with an analysis of whether "fact of injury" has been established. Generally, fact of injury consists of two components that must be considered in conjunction with one another. The first component to be established is that the employee actually experienced the employment incident that is alleged to have occurred. *Elaine Pendleton*, 40 ECAB 1143 (1989). The second component is whether the employment incident caused a personal injury. *John J. Carlone*, 41 ECAB 354 (1989). In the instant case, appellant failed to meet her burden of demonstrating that she sustained an injury causally related to the January 19, 1990 employment incident.

The March 18, 1999 decision of the Office of Workers' Compensation Programs is hereby affirmed.

Dated, Washington, DC
September 14, 2000

Willie T.C. Thomas
Member

Priscilla Anne Schwab
Alternate Member

Valerie D. Evans-Harrell
Alternate Member