

U. S. DEPARTMENT OF LABOR

Employees' Compensation Appeals Board

In the Matter of SHILA DOAK and U.S. POSTAL SERVICE,
POST OFFICE, Burnsville, WV

*Docket No. 02-1049; Submitted on the Record;
Issued July 18, 2003*

DECISION and ORDER

Before ALEC J. KOROMILAS, COLLEEN DUFFY KIKO,
MICHAEL E. GROOM

The issue is whether appellant established that her carpal tunnel syndrome was caused by her employment.

On November 7, 2001 appellant, then a 44-year-old postmaster, filed a claim for occupational disease, alleging that her carpal tunnel syndrome was caused by her employment. Appellant first became aware of her condition and that it was caused by her employment on October 8, 2001. The employing establishment stated that appellant first reported her condition on November 6, 2001. She noted that she did not stop work. Appellant described her employment history and job duties. She noted that from July 1986 to December 1991 she had been a data entry clerk at a mail processing facility where she entered address information into a computer and affixed labels to mail to be forwarded. Appellant described her duties as a postmaster from December 1991 to February 1998 as an office position with minimal activity. She advised that beginning in February 1996 she became postmaster at Burnsville, WV, as sole employee she processed mail from arrival to its final distribution point. These duties entailed lifting, sorting and customer service duties.

In a report dated October 9, 2001, Dr. Jose D. Bordonada, Jr., appellant's treating physician with a specialty in general surgery, stated that he examined appellant on October 8, 2001, and diagnosed carpal tunnel syndrome caused by repetitive motions at work. He stated that appellant's "[c]ondition is aggravated when performing such job tasks and putting things on shelves and using the computer. Symptoms are more pronounced while performing these tasks." Dr. Bordonada stated that appellant could return to work that day. In a report dated October 16, 2001, he stated that he examined appellant on October 8, 2001, based on her complaints of pain and numbness of fingers in both hands. On examination, he found positive Tinel's sign in both hands with thinning of the thenar muscles. Dr. Bordonana recommended a bilateral electromyogram with nerve conduction studies to confirm carpal tunnel syndrome.

By letter dated November 7, 2001, the employing establishment stated that appellant had been a postmaster for 10 years and there was "very little repetitive fine motor skills" required in

her job, that there was no computer work required, that “she sorts mail for approximately 2 hours a day and accepts mail from customers the rest of the day.”

By letter dated November 16, 2001, the Office of Workers’ Compensation Programs advised appellant to submit additional evidence in support of her claim.

In a letter dated December 11, 2001, received by the Office on December 20, 2001, appellant related her employment history with the employing establishment since 1986 and described her employment history with the employing establishment since 1986. She described her duties since November 1991 in Ellamore, WV, and at her current position at the Burnsville, WV, post office. Appellant stated that her job duties were to “sort the entire mail volume coming into the facility each day,” and that the mail needed to be hand sorted “for Highway Contract Routes, Rural Routes, and mail that is boxed at the post office.” She also distributed incoming mail from 4 to 6 sacks of parcel and first class mail, weighing as much as 89 pounds a piece, and also distributed mail from 5 to 8 “Hods” filled with flats as high as one foot for an average of 12.9 feet of mail a day into appropriate outside routes. She would hand-sort mail for 378 rented mailboxes, for an overall total average of 21.2 feet of distributed mail per day. Appellant stated that she performed these tasks for eight hours a day, five days a week. She also noted that her outside activities included flower gardening, crocheting and ceramics, and that she did not participate in sports or play a musical instrument. In response to the Office’s request for additional medical information from her doctor, appellant replied: “My doctor has been contacted and a report containing the above information is to be filed by him.”

By decision dated December 26, 2001, the Office denied appellant’s claim.

The Board finds that appellant failed to establish that her carpal tunnel syndrome was caused by her employment.

An employee seeking benefits under the Federal Employees’ Compensation Act¹ 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 while in the performance of duty as alleged; and that any disability and or specific condition for which compensation is claimed are causally related to the employment injury. These are the essential elements of each and every compensation claim regardless of whether the claim is predicated upon a traumatic injury or an occupational disease.²

Causal relationship is a medical issue 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 factual and medical background of the claimant, must be one of reasonable medical certainty and

¹ 5 U.S.C. §§ 8101-8193.

² *Rebecca LeMaster*, 50 ECAB 254 (1999).

must be supported by medical rationale explaining the nature of the relationship between the diagnosed condition and the established incident or factor of employment.³ Neither the fact that a disease or condition manifests itself during a period of employment nor the belief that the disease or condition was caused or aggravated by employment factors or incidents is sufficient to establish causal relationship.⁴

In an October 9, 2001 report, Dr. Bordonada, appellant's treating physician with a specialty in general surgery, found that appellant's carpal tunnel syndrome was causally related to her employment. In an October 16, 2001 report, Dr. Bordonada noted a positive Tinel's sign in both hands with thinning of the thenar muscles and recommended a bilateral electromyogram with nerve conduction studies to confirm carpal tunnel syndrome.

The Board finds that the reports of Dr. Bordonada do not establish a firm diagnosis of her condition, noting that further diagnostic studies were in order. Moreover, he did not fully explain how employment factors caused or aggravated her claimed condition. For example, his October 9, 2001 report contained a diagnosis but provided insufficient explanation for how her employment caused or aggravated her condition. In his October 16, 2001 report, he related appellant's complaints of pain but noted only a positive Tinel's sign in both hands with thinning thenar muscles. He did not provide a rationalized medical opinion on how her condition was caused or aggravated by her employment. The medical evidence of record is not sufficient to establish appellant's claim.⁵

The decision of the Office of Workers' Compensation Programs dated December 26, 2001 is affirmed.

Dated, Washington, DC
July 18, 2003

Alec J. Koromilas
Chairman

Colleen Duffy Kiko
Member

Michael E. Groom
Alternate Member

³ *Betty J. Smith*, 54 ECAB ____ (Docket No. 02-149, issued October 29, 2002).

⁴ *Minnie L. Bryson*, 44 ECAB 713 (1993).

⁵ The Board notes that appellant submitted additional medical evidence to the Office following the December 26, 2001 decision. As this evidence was not before the Office at the time of the December 26, 2001 decision the Board cannot review this evidence on appeal. 20 C.F.R. § 501.2(c).