

U. S. DEPARTMENT OF LABOR

Employees' Compensation Appeals Board

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In the Matter of JIN Z. KIM and U.S. POSTAL SERVICE, PROCESSING &  
DISTRIBUTION CENTER, Philadelphia, PA

*Docket No. 03-913; Submitted on the Record;*  
*Issued May 22, 2003*

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DECISION and ORDER

Before ALEC J. KOROMILAS, DAVID S. GERSON,  
WILLIE T.C. THOMAS

The issue is whether appellant's claimed cervical condition is causally related to her January 8, 1999 employment injury.

The Board has given careful consideration to the issue involved, the contentions of the parties 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 February 20, 2003 is in accordance with the facts and the law in this case and hereby adopts the findings and conclusions of the Office hearing representative.<sup>1</sup>

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<sup>1</sup> Where appellant claims that a condition not accepted or approved by the Office was due to her employment injury, she bears the burden of proof to establish that the condition is causally related to the employment injury. *Alice J. Tysinger*, 51 ECAB 638, 646 (2000). In the instant case, the Office accepted that appellant sustained a buttock contusion, lumbosacral sprain/strain, right shoulder sprain/strain and sciatic nerve lesion as a result of her January 8, 1999 employment injury. The hearing representative properly concluded that the record failed to establish that appellant sustained a cervical injury causally related to her January 8, 1999 employment injury.

The February 20, 2003 decision of the Office of Workers' Compensation Programs is hereby affirmed.

Dated, Washington, DC  
May 22, 2003

Alec J. Koromilas  
Chairman

David S. Gerson  
Alternate Member

Willie T.C. Thomas  
Alternate Member