

U. S. DEPARTMENT OF LABOR

Employees' Compensation Appeals Board

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In the Matter of KATHERINE P. CHENAULT and GENERAL ACCOUNTING OFFICE,  
REGIONAL OFFICE, Atlanta, Ga.

*Docket No. 97-2456; Submitted on the Record;  
Issued May 12, 1999*

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DECISION and ORDER

Before WILLIE T.C. THOMAS, MICHAEL E. GROOM,  
A. PETER KANJORSKI

The issue is whether appellant has met her burden of proof to establish that her gastroesophageal reflux and gallbladder conditions were related to factors of her federal employment.

The Board has given careful consideration to the issue involved and the entire case record.

By decision dated October 18, 1996, the Office of Workers' Compensation Programs denied appellant's claim on the grounds that fact of injury was not established. The Office found that appellant the employment duties to which appellant attributed her condition were not compensable and that the medical evidence submitted contained insufficient rationale to establish causal relationship. Appellant requested an oral hearing, which was held on April 17, 1997. By decision dated June 18, 1997, the Office hearing representative affirmed the Office's October 18, 1996 decision.

The Board finds that the decision of the hearing representative of the Office dated June 18, 1997 is in accordance with the facts and the law in this case and hereby adopts the findings and conclusions of the hearing representative.<sup>1</sup>

The decisions of the Office of Workers' Compensation Programs dated June 18, 1997 and October 18, 1996 are hereby affirmed.

Dated, Washington, D.C.  
May 12, 1999

Willie T.C. Thomas  
Alternate Member

Michael E. Groom  
Alternate Member

A. Peter Kanjorski  
Alternate Member

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<sup>1</sup> 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 claimed condition (see *Ronald K. White*, 37 ECAB 176, 178 (1985)); (2) a factual statement identifying employment factors alleged to have caused or contributed to the condition (see *Walter D. Morehead*, 31 ECAB 188, 194 (1979)) and (3) medical evidence establishing that the diagnosed condition is causally related to the employment factors identified by the claimant. (*Georgia R. Cameron*, 4 ECAB 311, 312 (1951)). In this case, appellant identified her performance evaluation as a GAO evaluator and Mr. Kenneth Mead's recommendation that she be removed as a member of a transportation core group as the employment factors. The Board has held that job transfers or assignments are administrative matters and that any emotional reaction is self-generated and not a compensable factor of employment; see *Lillian Cutler*, 28 ECAB 125 (1976). However, where the evidence demonstrates that the employing establishment either erred or acted abusively in the administration of personnel matters, coverage may be afforded; see *Kathleen D. Walker*, 42 ECAB 603, 608 (1991). There is no evidence that the employing establishment acted abusively or in error in transferring appellant to another job.