

U. S. DEPARTMENT OF LABOR

Employees' Compensation Appeals Board

In the Matter of PAT M. BURGE and DEPARTMENT OF THE AIR FORCE,
PATRICK AIR FORCE BASE, FL

*Docket No. 97-1838; Submitted on the Record;
Issued November 3, 1999*

DECISION and ORDER

Before MICHAEL J. WALSH, GEORGE E. RIVERS,
BRADLEY T. KNOTT

The issue is whether appellant has established eye strain or headaches as causally related to his federal employment.

On May 9, 1996 appellant filed a claim alleging that he sustained eye strain and headaches as a result of a lighting problem in his work area. Appellant indicated in a narrative statement that since April 18, 1996 the overhead lighting had not been working properly, alternating between dimness and a bright glare.

By decision dated July 18, 1996, the Office of Workers' Compensation Programs denied the claim on the grounds that the medical evidence was insufficient to establish the claim. By decision dated April 24, 1997, the Office reviewed the case on its merits and denied modification of the prior decision.

The Board has reviewed the record and finds that appellant had not established an injury causally related to his federal employment.

To establish that an injury was sustained in the performance of duty in an occupational disease claim,¹ a claimant must submit the following: (1) medical evidence establishing the presence or existence of the disease or condition for which compensation is claimed; (2) a factual statement identifying employment factors alleged to have caused or contributed to the presence or occurrence of the disease or condition; and (3) medical evidence establishing that the employment factors identified by the claimant were the proximate cause of the condition, for which compensation is claimed or, stated differently, medical evidence establishing that the

¹ Appellant filed a traumatic injury claim (Form CA-1), but it is evident from his statements that his alleged exposure occurred over more than one workday, and therefore the claim is properly considered an occupational disease claim. 20 C.F.R. § 10.5(16).

diagnosed condition is causally related to the employment factors identified by the claimant.² The evidence required to establish causal relationship is rationalized medical opinion evidence, based upon a complete and accurate factual and medical background, showing a causal relationship between the claimed conditions and his federal employment.³ Neither the fact that the condition became manifest during a period of federal employment, nor the belief of appellant that the condition was caused or aggravated by his federal employment, is sufficient to establish causal relation.⁴

In the present case, appellant has alleged that he sustained eye strain and headaches due to a lighting problem at his work site from April 18 to May 10, 1996. The Office has accepted that the employment factors occurred as alleged and there does not appear to be any dispute that there was a lighting problem that caused the lights to dim at times. To establish his claim, appellant must submit probative medical evidence on causal relationship between the employment factor and a diagnosed condition. The record contains a report dated May 15, 1996 from Dr. James McManus, an ophthalmologist, who notes that appellant reported overhead lighting that had dimmed off and on and then became very bright. Dr. McManus did not provide an opinion on causal relationship between the lighting and a diagnosed condition. In an undated report, Dr. Sally J. Switzer, a family practitioner, stated that appellant felt his work environment was responsible for his symptoms, but Dr. Switzer indicated that she did not know the etiology of his headaches and requested that Dr. Gary M. Weiss, a neurologist, be consulted. Dr. Weiss submitted a report dated June 4, 1996, noting in his history that appellant had been exposed to a fluorescent light that changed from bright to dim over a three- to four-week period. Dr. Weiss diagnosed “severe headaches, visual symptoms, dizziness and decreased memory. Rule out neurologic etiology to symptoms, suspect primary eye problem.” He did not provide an opinion as to causal relationship with employment. Similarly, in a March 6, 1997 report, Dr. Weiss stated: “Over a three to four week period [appellant] had a fluorescent light above his desk that changed from bright to dim. He began having eye strain and floaters in his visual field and began having severe headaches.” As noted above, the fact that a condition manifests itself during a period of federal employment does not establish causal relationship. Dr. Weiss did not specifically offer an opinion, supported by medical reasoning, that appellant had eye strain or headaches causally related to the lighting at work. The only indication as to causal relationship is found in an August 30, 1996 form report (Form CA-20), in which a box is checked “yes” that the condition found was causally related to employment. The checking of a box “yes” in a form report, without additional explanation or rationale, is not sufficient to establish causal relationship.⁵

Accordingly, the Board finds that appellant has not met his burden of proof in establishing eye strain or headaches as causally related to his federal employment.

² *Victor J. Woodhams*, 41 ECAB 345 (1989).

³ *See Walter D. Morehead*, 31 ECAB 188 (1979).

⁴ *Manuel Garcia*, 37 ECAB 767 (1986).

⁵ *See Barbara J. Williams*, 40 ECAB 649, 656 (1989).

The decisions of the Office of Workers' Compensation Programs dated April 24, 1997 and July 18, 1996 are affirmed.

Dated, Washington, D.C.
November 3, 1999

Michael J. Walsh
Chairman

George E. Rivers
Member

Bradley T. Knott
Alternate Member