

U. S. DEPARTMENT OF LABOR

Employees' Compensation Appeals Board

In the Matter of INEZ MOSSER, claiming as widow of GEOFFREY M. MOSSER and
DEPARTMENT OF THE NAVY, PHILADELPHIA NAVAL SHIPYARD,
Philadelphia, PA

*Docket No. 99-1742; Submitted on the Record;
Issued August 11, 2000*

DECISION and ORDER

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

The issue is whether appellant met her burden of proof to establish that the employee's death by suicide on June 2, 1997 was causally related to his January 6, 1988 employment injury.

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 January 21, 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 Appellant has the burden of establishing by a preponderance of the reliable, probative and substantial evidence the existence of a causal relationship between the employee's suicidal death and factors of his employment. *Linda Krotzer (Charles A. Krotzer, Jr.)*, 46 ECAB 754, 760 (1995). In determining whether an employee's suicide is causally related to factors of his employment, the Office has adopted the "chain-of-causation" test. *Id.* The Office's procedure manual explains that "compensation can be paid if the job-related injury (or disease) and its consequences directly resulted in the employee's domination by a disturbance of the mind and loss of normal judgment which, in an unbroken chain, resulted in suicide." Federal (FECA) Procedure Manual, Part 2 -- Claims, *Performance of Duty*, Chapter 2.804.15 (March 1994). Additionally, the procedure manual states, "If the injury and its consequences directly resulted in a mental disturbance, or physical condition which produced a compulsion to commit suicide, and disabled the employee from exercising sound discretion or judgment so as to control that compulsion, then the test is satisfied and the suicide is compensable." *Id.* In the instant case, appellant failed to submit rationalized medical opinion evidence establishing a causal relationship between the decedent's accepted 1988 employment injury and his death by suicide on June 2, 1997.

The January 21, 1999 decision of the Office of Workers' Compensation Programs is hereby affirmed.

Dated, Washington, D.C.
August 11, 2000

Willie T.C. Thomas
Member

Michael E. Groom
Alternate Member

A. Peter Kanjorski
Alternate Member