

U. S. DEPARTMENT OF LABOR

Employees' Compensation Appeals Board

In the Matter of BONITA COLEMAN and U.S. POSTAL SERVICE,
BULK MAIL CENTER, St. Louis, MO

*Docket No. 98-2330; Submitted on the Record;
Issued February 9, 2000*

DECISION and ORDER

Before MICHAEL J. WALSH, GEORGE E. RIVERS,
DAVID S. GERSON

The issue is whether appellant has established a left hand or arm injury causally related to employment activities on April 3, 1997.

In the present case, appellant filed a traumatic injury claim alleging that she injured her left hand while loading trailers. By decision dated July 15, 1997, the Office of Workers' Compensation Programs denied the claim on the grounds that the medical evidence was insufficient to establish an injury causally related to her work activities on April 3, 1997. In a decision dated July 16, 1998, an Office hearing representative affirmed the denial of the claim.

The Board has reviewed the record and finds that appellant has not met her burden of proof in this case.

An employee seeking benefits under the Federal Employees' Compensation Act¹ has the burden of establishing that he or she sustained an injury while in the performance of duty.² In order to determine whether an employee actually sustained an injury in the performance of duty, the Office begins with an analysis of whether "fact of injury" has been established. Generally "fact of injury" consists of two components which must be considered in conjunction with one another. The first component to be established is that the employee actually experienced the employment incidents which are alleged to have occurred. The second component is whether the employment incidents caused a personal injury, and generally this can be established only by medical evidence.³

¹ 5 U.S.C. §§ 8101-8193.

² *Melinda C. Epperly*, 45 ECAB 196, 198 (1993); *see also* 20 C.F.R. § 10.110(a).

³ *See John J. Carlone*, 41 ECAB 354, 357 (1989).

In the present case, the Office accepted that appellant was pulling containers on April 3, 1997 while in the performance of her federal employment duties. To establish an injury in the performance of duty, however, appellant must submit probative medical evidence containing an accurate history and providing a reasoned opinion that a diagnosed condition was causally related to the identified employment incidents on April 3, 1997.⁴ Appellant has not done so in this case.

The record contains a form report (an employing establishment form) dated April 8, 1997 from Dr. Julian C. Mosley, a surgeon, who diagnosed ganglion of the left hand, possible tendinitis or carpal tunnel syndrome. A box is checked “yes” that there was a job-related injury. It is well established that the checking of a box “yes” in a form report, without additional explanation or rationale, is not sufficient to establish causal relationship.⁵

Appellant did not submit any medical evidence providing a reasoned medical opinion relating a left hand or arm condition to her employment duties on April 3, 1997. It is, as noted above, appellant’s burden to submit such evidence. Since she has not submitted sufficient medical evidence on causal relationship, the Office properly denied her claim in this case.

The decision of the Office of Workers’ Compensation Programs dated July 16, 1998 is affirmed.

Dated, Washington, D.C.
February 9, 2000

Michael J. Walsh
Chairman

George E. Rivers
Member

David S. Gerson
Member

⁴ *Robert J. Krstyen*, 44 ECAB 227, 229 (1992).

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