

U. S. DEPARTMENT OF LABOR

Employees' Compensation Appeals Board

In the Matter of RITA D. PALLANCK and U.S. POSTAL SERVICE,
POST OFFICE, Baltimore, MD

*Docket No. 99-1267; Submitted on the Record;
Issued July 20, 2000*

DECISION and ORDER

Before MICHAEL J. WALSH, DAVID S. GERSON,
A. PETER KANJORSKI

The issue is whether appellant has established an injury causally related to factors of her federal employment.

In the present case, appellant filed a claim on February 13, 1998 alleging that her diagnosed conditions, including carpal tunnel syndrome, epicondylitis and fibromyalgia, were causally related to her federal employment. By decision dated June 16, 1998, the Office of Workers' Compensation Programs denied the claim on the grounds that fact of injury had not been established. In a decision dated January 11, 1999, an Office hearing representative reviewed the written record and affirmed the June 16, 1998 decision.

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

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 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 diagnosed condition is causally related to the employment factors identified by the claimant.¹ 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 her federal employment.² Neither the fact that

¹ *Victor J. Woodhams*, 41 ECAB 345 (1989).

² *See Walter D. Morehead*, 31 ECAB 188 (1979).

the condition became manifest during a period of federal employment, nor the belief of appellant that the condition was caused or aggravated by her federal employment, is sufficient to establish causal relation.³

In a letter dated May 29, 1998, appellant indicated that her duties as a letter carrier involved repetitious movements of her hands, wrists and arms, along with bending and lifting of mail. To meet her burden of proof, appellant must submit probative medical evidence containing a reasoned medical opinion, based on a complete background, as to causal relationship between the identified factors and a diagnosed medical condition. In this case, the record contains numerous medical reports regarding appellant's treatment for a variety of conditions, primarily from the attending physician, Dr. Stephen George, a rheumatologist. On the relevant issue of causal relationship, however, the record contains only brief references to appellant's federal employment. In a report (Form CA-20) dated March 27, 1998, Dr. George diagnosed rotator cuff tendinitis, fibromyalgia, carpal tunnel syndrome and lateral epicondylitis. Dr. George checked a box "yes" that the conditions found were causally related to employment, stating "occupation necessitates repeated use of arms for grasping as well as repeated lifting of heavy mailbags." This report is of diminished probative value without further explanation.⁴ Dr. George does not discuss appellant's medical history, or clearly explain how each of the diagnosed conditions was causally related to the identified employment activities. In a report dated May 29, 1998, Dr. George stated "symptoms are markedly aggravated by her responsibilities as a mail carrier as reflected in initial consultation report." The Board notes that the initial consultation report appears to be a January 7, 1995 report, but this report does not discuss appellant's specific employment duties, stating only that "this likely is an occupational related/exacerbation process" without further explanation. To the extent that Dr. George indicates that work aggravated appellant's condition, he must provide additional details describing the extent and duration of an aggravation with respect to any diagnosed condition.

The Board finds that the record does not contain a medical report that adequately addresses the issue of causal relationship between specifically diagnosed conditions and the identified employment activities. As noted above, it is appellant's burden to submit sufficient medical evidence and she has not proven her burden in this case.

³ *Manuel Garcia*, 37 ECAB 767 (1986).

⁴ *See Barbara J. Williams*, 40 ECAB 649, 656 (1989).

The decisions of the Office of Workers' Compensation Programs dated January 11, 1999 and June 16, 1998 are affirmed.

Dated, Washington, D.C.
July 20, 2000

Michael J. Walsh
Chairman

David S. Gerson
Member

A. Peter Kanjorski
Alternate Member