

U. S. DEPARTMENT OF LABOR

Employees' Compensation Appeals Board

In the Matter of RICHARD A. LAUCK and U.S. POSTAL SERVICE,
POST OFFICE, Eureka, CA

*Docket No. 99-763; Submitted on the Record;
Issued June 13, 2000*

DECISION and ORDER

Before MICHAEL J. WALSH, GEORGE E. RIVERS,
WILLIE T.C. THOMAS

The issue is whether appellant had met his burden of proof in establishing that his left knee condition was causally related to factors of his employment.

On July 14, 1998 appellant, then a 57-year-old letter carrier, filed a claim for pain and swelling in his knee. He indicated that he had resumed delivering mail after several months of light duty for an unrelated condition. Appellant stated that the knee became stiff, sore and swollen, with improvement on his days off and worsening when he returned to work. The employing establishment indicated that appellant stopped working on July 15, 1998 and returned to work at desk duty on July 20, 1998, performing such duties as typing, filing and answering the telephone. In a September 18, 1998 decision, the Office of Workers' Compensation Programs denied appellant's claim on the grounds that appellant had not established that he sustained an injury within the meaning of the Federal Employees' Compensation Act. Appellant requested a review of the written record by an Office hearing representative. In a January 11, 1999 decision, the Office hearing representative found that appellant had not submitted sufficient medical evidence to show that his left knee condition was causally related to his employment. He therefore affirmed the Office's September 18, 1998 decision.

The Board finds that appellant has not met his burden of proof in establishing that his left knee condition is causally related to factors of his 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;¹ (2) a factual statement identifying the employment factors alleged to have caused or contributed to the presence or occurrence of the disease or condition;² and (3) medical evidence establishing that

¹ See *Ronald K. White*, 37 ECAB 176, 178 (1985).

² See *Walter D. Morehead*, 31 ECAB 188, 194 (1979).

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.³ The medical evidence required to establish causal relationship, generally, is rationalized medical opinion evidence. Rationalized medical opinion evidence is medical evidence which includes a physician's rationalized opinion on the issue of whether there is a causal relationship between the claimant's diagnosed condition and the implicated employment factors. The opinion of the physician must be based on a complete factual and medical background of the claimant,⁴ must be one of reasonable medical certainty,⁵ and must be supported by medical rationale explaining the nature of the relationship between the diagnosed condition and the specific employment factors identified by the claimant.⁶

In an October 8, 1998 letter, appellant gave an extensive description of his work as a letter carrier, indicating that he constantly was getting out of and getting back into his postal vehicle to deliver the mail. He noted that he had 300 places to deliver mail and had to stop his vehicle at each house to deliver the mail. Appellant related that he walked across erratic surfaces while reading addresses and climbed numerous stairs. He also commented that he stood two to four hours while casing the mail. Appellant contended that the cycle of his knee worsening at work and improving on days off showed that the knee condition was employment related.

Appellant submitted a July 23, 1998 report from Dr. Richard Martin who indicated that appellant had diabetes, peripheral neuropathy, retinopathy, glaucoma, macular edema, Peyronie's disease, coronary artery disease, hypertension, sleep apnea, chronic low back pain and right epicondylitis. He concluded that appellant could no longer meet the physical requirements for a letter carrier position. Dr. Martin, however, did not discuss appellant's left knee condition and did not discuss whether any such knee condition was related to appellant's employment. The only report to discuss appellant's left knee condition was an October 23, 1998 form report from Dr. Beth Abels, a Board-certified internist, who diagnosed degenerative arthritis of the left knee. Dr. Abels supported causal relationship by checking a box that appellant's condition was work related. However, the Board has held that such a report has little probative value where there is no explanation or rationale supporting the opinion on causal relationship between the diagnosed condition and the employment-related injury.⁷ Appellant did not submit any detailed, rationalized medical evidence which described how his left knee condition was causally related to the factors of employment he identified as the cause of his condition. Appellant therefore has not met his burden of proof.

The decisions of the Office of Workers' Compensation Programs dated January 11, 1999 and September 18, 1998 are hereby affirmed.

³ See generally *Lloyd C. Wiggs*, 32 ECAB 1023, 1029 (1981).

⁴ *William Nimitz, Jr.*, 30 ECAB 567, 570 (1979).

⁵ See *Morris Scanlon*, 11 ECAB 384, 385 (1960).

⁶ See *William E. Enright*, 31 ECAB 426, 430 (1980).

⁷ See *Lillian M. Jones*, 34 ECAB 379, 381 (1982).

Dated, Washington, D.C.
June 13, 2000

Michael J. Walsh
Chairman

George E. Rivers
Member

Willie T.C. Thomas
Alternate Member