

U. S. DEPARTMENT OF LABOR

Employees' Compensation Appeals Board

---

In the Matter of ZORA L. HERRING and U.S. POSTAL SERVICE,  
PEARL BROOK POST OFFICE, Cleveland, OH

*Docket No. 00-349; Submitted on the Record;  
Issued October 26, 2000*

---

DECISION and ORDER

Before MICHAEL J. WALSH, WILLIE T.C. THOMAS,  
VALERIE D. EVANS-HARRELL

The issue is whether appellant has met her burden of proof in establishing that she sustained sciatica causally related to her employment duties.

On June 9, 1999 appellant, then a 45-year-old letter carrier, filed an occupational disease claim for sciatica of the right leg which she related to constant walking which aggravated her condition. The employing establishment indicated that appellant stopped working on May 5, 1999 and returned to work on May 8, 1999. In a June 11, 1999 letter, an official at the employing establishment indicated that appellant was performing limited duty due to another employment injury.<sup>1</sup> The official indicated that appellant had been limited to three hours of walking and five hours of sitting and standing. She noted that appellant had not been performing those restrictions because as soon as she did such duties, she ended up taking the next day off, complaining of pain. The official related that appellant, therefore, had been performing work inside the employing establishment, such as answering the telephone, filing and performing clerk duties.

In a July 19, 1999 decision, the Office denied appellant's claim on the grounds that the medical evidence of record was insufficient to establish that her condition was causally related to her employment.

The Board finds that appellant has not met her burden of proof in establishing that her sciatica is causally related to her employment.

A person who claims benefits under the Federal Employees' Compensation Act<sup>2</sup> has the burden of establishing the essential elements of her claim. Appellant has the burden of

---

<sup>1</sup> Appellant had filed a claim for aggravation of a right ankle condition. The Office of Workers' Compensation Programs accepted appellant's claim for a temporary aggravation of osteoarthritis of the right ankle.

<sup>2</sup> 5 U.S.C. §§ 8101-8193.

establishing by reliable, probative and substantial evidence that her medical condition was causally related to a specific employment incident or to specific conditions of employment.<sup>3</sup> As part of such burden of proof, rationalized medical opinion evidence showing causal relation must be submitted.<sup>4</sup> The mere fact that a condition manifests itself or worsens during a period of employment does not raise an inference of causal relationship between the condition and the employment.<sup>5</sup> Such a relationship must be shown by rationalized medical evidence of causal relation based upon a specific and accurate history of employment incidents or conditions which are alleged to have caused or exacerbated a disability.<sup>6</sup> Appellant has not met that burden here.

In a May 6, 1999 note, Dr. Sheldon Kaffen, a Board-certified orthopedic surgeon, indicated that appellant had sciatica on the right related to work and could return to work on May 7, 1999. In an undated note received by the Office on June 10, 1999, Dr. Donald C. Mann, a Board-certified neurologist, restricted appellant from lifting or carrying for 30 days. In a July 1, 1999 duty status report, Dr. Mann noted appellant had sciatica on the right and indicated that appellant had limited back motion. He diagnosed lumbar radiculopathy. He reported that appellant could return to work on July 21, 1999. Neither Dr. Kaffen nor Dr. Mann provided any explanation of how appellant's work duties would have been causally related to her sciatica. Appellant, therefore, has not submitted any rationalized medical evidence that established a causal relationship between her claim for sciatica and the performance of her employment duties. As a result, appellant has not met her burden of proof.

The decision of the Office of Workers' Compensation Programs, dated July 19, 1999, is hereby affirmed.

Dated, Washington, DC  
October 26, 2000

Michael J. Walsh  
Chairman

Willie T.C. Thomas  
Member

Valerie D. Evans-Harrell  
Alternate Member

---

<sup>3</sup> *Margaret A. Donnelly*, 15 ECAB 40, 43 (1963).

<sup>4</sup> *Daniel R. Hickman*, 34 ECAB 1220, 1223 (1983).

<sup>5</sup> *Juanita Rogers*, 34 ECAB 544, 546 (1983).

<sup>6</sup> *Edgar L. Colley*, 34 ECAB 1691, 1696 (1983).