

U. S. DEPARTMENT OF LABOR

Employees' Compensation Appeals Board

In the Matter of JACQUELINE HOLIDAY and U.S. POSTAL SERVICE,
FLATBUSH STATION, Brooklyn, NY

*Docket No. 01-355; Submitted on the Record;
Issued August 2, 2001*

DECISION and ORDER

Before MICHAEL E. GROOM, A. PETER KANJORSKI,
PRISCILLA ANNE SCHWAB

The issue is whether appellant has met her burden of proof in establishing that she developed carpal tunnel syndrome due to factors of her federal employment.

Appellant, a 43-year-old distribution window clerk, filed a notice of occupational disease on September 2, 1999 alleging that her carpal tunnel syndrome was caused by her employment duties. The Office of Workers' Compensation Programs requested a medical report from appellant's attending physician on September 24, 1999. By decision dated December 8, 1999, the Office denied appellant's claim finding that she failed to establish fact of injury.¹

The Board finds that appellant has failed to meet her burden of proof in establishing that she developed carpal tunnel syndrome due to factors of 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. The evidence required to establish causal relationship is rationalized medical opinion evidence, based upon a complete factual and medical background, showing a causal relationship between

¹ Following the Office's December 8, 1999 decision, appellant submitted additional evidence. The Office did not consider this evidence in reaching a final decision; thus, the Board may not review it for the first time on appeal; *see* 20 C.F.R. § 501.2(c).

the claimed condition and identified factors. The belief of a claimant that a condition was caused or aggravated by the employment is not sufficient to establish causal relation.²

In this case, appellant provided a factual statement attributing her right wrist condition to factors of her federal employment. However, appellant failed to provide any medical evidence in support of her claim for carpal tunnel syndrome. The Office requested a report from appellant's attending physician, who failed to respond. The record does not contain any medical evidence supporting a diagnosis of a medical condition and relating that condition to the accepted factors of appellant's employment. Therefore, appellant has failed to establish a *prima facie* claim for compensation.³

The December 8, 1999 decision of the Office of Workers' Compensation Programs is hereby affirmed.

Dated, Washington, DC
August 2, 2001

Michael E. Groom
Alternate Member

A. Peter Kanjorski
Alternate Member

Priscilla Anne Schwab
Alternate Member

² *Lourdes Harris*, 45 ECAB 545, 547 (1994).

³ *See Richard A. Weiss*, 47 ECAB 182 (1995).