

U. S. DEPARTMENT OF LABOR

Employees' Compensation Appeals Board

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In the Matter of CHAUNDRA L. SAULSBERRY and U.S. POSTAL SERVICE,  
POST OFFICE, Memphis, TN

*Docket No. 00-2608; Submitted on the Record;  
Issued July 5, 2001*

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DECISION and ORDER

Before MICHAEL J. WALSH, BRADLEY T. KNOTT,  
A. PETER KANJORSKI

The issue is whether appellant sustained an injury in the performance of duty as alleged.

On February 28, 2000 appellant, then a 34-year-old city letter carrier, filed a traumatic injury claim alleging that on October 12, 1999 she sustained pain in her lower back and groin on the right side while she was picking up a tube of flats and putting them on a tray and turning a tray of letter mail over on the ledge.

Appellant submitted medical evidence to document her claim including reports from Dr. Oakley C. Jordan, an internist, dated November 9, 16 and 29, 1999 and January 26, 2000, a computerized axial tomography (CAT) scan dated November 22, 1999 showing a bulging annulus at L5-S1 and a report from Dr. William H. Knight, a Board-certified orthopedic surgeon, dated November 23, 1999. In his reports, Dr. Jordan diagnosed chronic subacute and acute pain from lumbar degenerative disc disease and spondylosis with radiculopathy, probable lumbar facet strain with nerve irritation radiating into the hip, bulging annulus at L5-S1, hip strain, sciatica and lumbar strain. In his November 23, 1999 report, Dr. Knight considered that appellant sustained a groin injury in August 1998 at work and that four weeks ago she had a recurrence without a particular injury. He diagnosed groin strain with possible lumbosacral strain. Dr. Knight prescribed therapy, medication and light work.

By letter dated March 8, 2000, the Office of Workers' Compensation Programs informed appellant that additional evidence was necessary to establish her claim including a narrative report from her treating physician explaining how her work caused or contributed to her condition.

By decision dated April 12, 2000, the Office denied appellant's claim. The Office accepted that the incident occurred as alleged but found that appellant did not meet the requirements for establishing that she sustained an injury.

The Board finds that appellant did not establish that she sustained an injury in the performance of duty.

To determine whether a federal employee has sustained a traumatic injury in the performance of duty, it must first be determined whether a “fact of injury” has been established. First, the employee must submit sufficient evidence to establish that he or she actually experienced the employment incident at the time, place and in the manner alleged.<sup>1</sup> Second, the employee must submit sufficient evidence, generally only in the form of medical evidence, to establish that the employment incident caused a personal injury.<sup>2</sup>

The medical evidence required to establish a causal relationship, generally, is rationalized medical evidence. Rationalized medical evidence is medical evidence which includes a physician’s rationalized medical 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, must be one of reasonable medical certainty, 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.<sup>3</sup>

None of the medical evidence appellant submitted is probative, however, because it does not relate appellant’s back condition to her employment. In his reports dated from November 9, 1999 through January 26, 2000, Dr. Jordan diagnosed several conditions including lumbar strain, hip strain and sciatica but did not address whether these conditions were work related. Similarly, in his November 23, 1999 report, Dr. Knight diagnosed groin strain with possible lumbosacral strain but did not address whether these conditions were work related. The Board has held that medical opinions that do not offer any opinion regarding the cause of an employee’s condition is of limited probative value on the issue of causal relationship.<sup>4</sup> Although the Office provided appellant with the opportunity to present the requisite evidence, appellant did not comply. She has therefore failed to establish her claim.

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<sup>1</sup> *Robert J. Krstyen*, 44 ECAB 227, 229 (1992); *John J. Carlone*, 41 ECAB 354, 356-57 (1989).

<sup>2</sup> *Id.*

<sup>3</sup> *Ern Reynolds*, 45 ECAB 690, 695 (1994); *Gary L. Fowler*, 45 ECAB 365, 371 (1994).

<sup>4</sup> *See Dennis M. Mascarenas*, 49 ECAB 215, 218 (1997).

The decision of the Office of Workers' Compensation Programs dated April 12, 2000 is hereby affirmed.

Dated, Washington, DC  
July 5, 2001

Michael J. Walsh  
Chairman

Bradley T. Knott  
Alternate Member

A. Peter Kanjorski  
Alternate Member