

U. S. DEPARTMENT OF LABOR

Employees' Compensation Appeals Board

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In the Matter of PAULA C. PTAK and U.S. POSTAL SERVICE,  
POST OFFICE, Syracuse, NY

*Docket No. 00-2517; Submitted on the Record;  
Issued June 20, 2001*

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DECISION and ORDER

Before DAVID S. GERSON, WILLIE T.C. THOMAS,  
PRISCILLA ANNE SCHWAB

The issue is whether appellant has established that she sustained tendinitis causally related to factors of her federal employment.

On August 30, 1999 appellant, a former federal employee, filed a claim for an occupational disease alleging that she had tendinitis causally related to factors of her federal employment.<sup>1</sup>

On September 9, 1999 the employing establishment stated that appellant worked a total of 16.76 hours, which included 5.25 hours of orientation, 5 hours of training and 6.51 hours of work.

By letter dated September 29, 1999, the Office of Workers' Compensation Programs informed appellant of the additional factual and medical information necessary to establish her claim for tendinitis. The Office further notified appellant that her employing establishment challenged her claim on the grounds that appellant had complained about a shoulder injury sustained at home. The Office advised that she was required to describe the employment-related activities which she believed contributed to her condition.

In a report dated July 22, 1996 and received by the Office on October 6, 1999, Dr. John F. Fatti, appellant's Board-certified orthopedic surgeon, stated that appellant was "partially and permanently disabled," 10 percent on the right hand and 7 percent on the left hand "from her work-related carpal tunnels."

In a report dated August 23, 1999 and received by the Office on October 6, 1999, Dr. Fatti stated that appellant complained of swollen and tender hands the day after sorting mail.

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<sup>1</sup> Appellant resigned from her position as a casual clerk on August 19, 1999, based on an off-the-job injury.

Upon examination, he noted marked tenderness over the carpal-metacarpal joint and over the dorsal and volar aspect of the right thumb.

In a narrative dated August 30, 1999 and received by the Office on October 8, 1999, appellant stated that the employment factor responsible for her medical condition was the repetitious use of her index finger and thumb of her right hand while sorting mail.

By decision dated December 15, 1999, the Office denied appellant's claim on the grounds that the evidence was insufficient to establish that the claimed condition was causally related to the performance of her employment duties.

The Board finds that appellant has not established that she sustained tendinitis causally related 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 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.<sup>2</sup>

In this case, the Office accepted as a factor of employment that appellant sorted mail for eleven and one-half hours. However, the medical evidence did not establish that a medical condition was diagnosed as a result of her employment. Dr. Fatti's reports, although noting symptoms of a condition and her work requirements, did not establish a causal relationship between her condition and her employment, nor support such a finding with a rationalized medical opinion. Although Dr. Fatti previously diagnosed a preexisting partial disability of both hands in a 1996 report, he did not find that appellant's current condition was an aggravation of that condition, nor did he render a diagnosis attributing her condition to her employment.

As appellant has not submitted competent, rationalized medical opinion evidence establishing that she sustained an injury in the performance of duty, the Office properly denied her claim.

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<sup>2</sup> *Lourdes Harris*, 45 ECAB 545, 547 (1994).

The decision of the Office of Workers' Compensation Programs dated December 15, 1999 is hereby affirmed.

Dated, Washington, DC  
June 20, 2001

David S. Gerson  
Member

Willie T.C. Thomas  
Member

Priscilla Anne Schwab  
Alternate Member