

U. S. DEPARTMENT OF LABOR

Employees' Compensation Appeals Board

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In the Matter of EMERY M. JORDAN and DEPARTMENT OF THE AIR FORCE,  
ANDERSON AIR FORCE BASE, Guam

*Docket No. 00-2581; Submitted on the Record;  
Issued June 26, 2001*

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DECISION and ORDER

Before MICHAEL J. WALSH, WILLIE T.C. THOMAS,  
A. PETER KANJORSKI

The issue is whether appellant has established that his August 18, 1998 myocardial infarction was causally related to his federal employment.

On January 25, 1999 appellant, then a 59-year-old facility manager, filed an occupational disease or illness claim (Form CA-2) alleging that he sustained a heart attack causally related to his federal employment.<sup>1</sup> By decision dated September 25, 1999, the Office of Workers' Compensation Programs denied the claim on the grounds that the medical evidence was insufficient to establish the claim. In a decision dated November 2, 1999, the Office denied modification.

The Board finds that appellant has not met his burden of proof to establish his claim in this case.

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.<sup>2</sup>

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<sup>1</sup> In an October 4, 1999 reconsideration request, appellant refers to a traumatic injury, stating that his heart attack was a specific event occurring during one day. The term "traumatic injury" refers to an injury *caused* by an incident or incidents within a single workday or shift. 20 C.F.R. § 10.5(ee). Since appellant identifies work incidents occurring over more than one workday as contributing to his condition, an occupational disease or illness claim was appropriate.

<sup>2</sup> *Victor J. Woodhams*, 41 ECAB 345 (1989).

The evidence required to establish causal relationship is rationalized medical opinion evidence, based upon a complete and accurate factual and medical background, showing a causal relationship between the claimed conditions and his federal employment.<sup>3</sup> Neither the fact that the condition became manifest during a period of federal employment, nor the belief of appellant that the condition was caused or aggravated by his federal employment, is sufficient to establish causal relation.<sup>4</sup>

With respect to the factual evidence, appellant has briefly discussed employment factors he believes contributed to a myocardial infarction on August 18, 1998. He stated on his claim form that his job as facility manager was a demanding one, and that he had to attend meetings, make preparations for contractors, and handle other problems. In a statement dated May 17, 1999, appellant noted that at the time of the heart attack there were several contracts for which he was the point of contact for the employing establishment, involving numerous meetings over different parts of the facility.

To the extent that appellant discusses the performance of his regular or specially assigned duties, these would be compensable work factors.<sup>5</sup> In order to establish his claim, however, he must submit probative medical evidence that contains an accurate factual and medical background, and provides a reasoned medical opinion on causal relationship between the myocardial infarction and compensable work factors. In this case, appellant has not submitted probative medical evidence on causal relationship. The record contains a hospital report indicating that appellant was admitted on August 19, 1998 with a diagnosis of inferior wall myocardial infarction. The report does not discuss causal relationship with employment. In a brief note dated May 26, 1999, Dr. Joshua Yamamoto, an internist, reports that appellant was still suffering from great stress, without providing further detail or discussion of the relevant issues in this case.

Appellant did not submit a medical report with a complete factual and medical background, demonstrating familiarity with the job duties identified by appellant, and providing a reasoned opinion on causal relationship between the myocardial infarction and the identified employment factors. The Board accordingly finds that appellant has not met his burden of proof in this case.

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<sup>3</sup> See *Walter D. Morehead*, 31 ECAB 188 (1979).

<sup>4</sup> *Manuel Garcia*, 37 ECAB 767 (1986).

<sup>5</sup> See *Lillian Cutler*, 28 ECAB 125 (1976) (disability is not covered where it results from an employee's frustration over not being permitted to work in a particular environment or to hold a particular position, or secure a promotion. On the other hand, where disability results from an employee's emotional reaction to his regular or specially assigned work duties or to a requirement imposed by the employment, the disability comes within the coverage of the Federal Employees' Compensation Act).

The decisions of the Office of Workers' Compensation Programs dated November 2 and September 25, 1999 are affirmed.

Dated, Washington, DC  
June 26, 2001

Michael J. Walsh  
Chairman

Willie T.C. Thomas  
Member

A. Peter Kanjorski  
Alternate Member