

U. S. DEPARTMENT OF LABOR

Employees' Compensation Appeals Board

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In the Matter of JERRY D. EDWARDS and U.S. POSTAL SERVICE,  
BULK MAIL CENTER, Federal Way, WA

*Docket No. 00-1325; Submitted on the Record;  
Issued March 8, 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 hearing loss is causally related to his federal employment.

The Board has carefully reviewed the evidence of record and finds that appellant has failed to meet his burden of proof in establishing a causal relationship between his hearing loss and work factors.

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>1</sup> 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>2</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>3</sup>

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<sup>1</sup> *Victor J. Woodhams*, 41 ECAB 345 (1989).

<sup>2</sup> *See Walter D. Morehead*, 31 ECAB 188 (1979).

<sup>3</sup> *Manuel Garcia*, 37 ECAB 767 (1986).

In this case, appellant, then a 62-year-old mailhandler, filed an occupational disease claim on June 16, 1999 claiming a hearing loss because the employing establishment informed him of a change in hearing sensitivity. The Office of Workers' Compensation Programs referred him to Dr. Gerald G. Randolph, a Board-certified otolaryngologist, for a second opinion evaluation. Based on his July 28, 1999 and a concurring opinion by the Office medical adviser, the Office denied appellant's claim on September 28, 1999. By letter dated October 4, 1999, he requested a written review of the record and reported that his time in the military should not be considered. In a decision dated December 21, 1999,<sup>4</sup> the Office hearing representative affirmed the September 28, 1999 decision denying appellant's claim for a hearing loss.

In his July 28, 1999 report, Dr. Randolph concluded that appellant's hearing loss occurred prior to his job with the employing establishment. He also noted that appellant's hearing had degenerated slightly since 1983, when he started working for the employing establishment and that appellant's "hearing has not degenerated any more rapidly than would be expected from the aging process." In a report dated September 14, 1999, the Office medical adviser concurred with Dr. Randolph's findings and indicated that appellant did not have any sensorineural hearing loss. Thus, the medical evidence is insufficient to establish a causal relationship between appellant's hearing loss and work factors. Therefore, the Board finds that the Office properly denied his claim.<sup>5</sup>

The decisions of the Office of Workers' Compensation Programs dated December 21 and September 28, 1999 are hereby affirmed.

Dated, Washington, DC  
March 8, 2001

Michael J. Walsh  
Chairman

Willie T.C. Thomas  
Member

A. Peter Kanjorski  
Alternate Member

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<sup>4</sup> The Board notes that decision was dated December 20, 1999 and that the letter transmitting the decision was dated December 21, 1999.

<sup>5</sup> See *Joseph T. Gulla*, 36 ECAB 516, 519 (1985) (finding that the weight of the medical evidence established that appellant's hearing loss was not work related).