

U. S. DEPARTMENT OF LABOR

Employees' Compensation Appeals Board

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In the Matter of DIANE M. VAN FOSSEN and U.S. POSTAL SERVICE,  
POST OFFICE, Hazelton, PA

*Docket No. 00-1798; Submitted on the Record;  
Issued May 8, 2001*

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DECISION and ORDER

Before MICHAEL J. WALSH, BRADLEY T. KNOTT,  
PRISCILLA ANNE SCHWAB

The issue is whether appellant has established a left hand or wrist condition and consequential right arm condition causally related to factors of her federal employment.

On November 19, 1998 appellant, a 48-year-old letter carrier, filed an occupational disease claim alleging that she sustained injury causally related to her federal employment. In a narrative statement, appellant indicated that she had been carrying two bundles of mail in her left hand, which stretched the tendons in her hand and wrist. She also alleged that, as a consequence of her left arm injury, she overcompensated with her right arm and injured her right elbow. According to a December 2, 1998 statement, appellant carried the extra bundles five to six days a week since August 15, 1998.<sup>1</sup>

In a decision dated February 25, 1999, the Office of Workers' Compensation Programs denied the claim on the grounds that the medical evidence was insufficient to establish a causal relationship between her upper extremity conditions and her work duties. In a decision dated September 28, 1999, an Office hearing representative affirmed the prior decision. By decision dated February 1, 2000, the Office denied modification.

The Board finds that appellant has not met her burden of proof.

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

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<sup>1</sup> The employing establishment disputed appellant's allegation, stating that she carried the extra bundle approximately four times in total since August 1998.

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>

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 her federal employment.<sup>3</sup> Neither the fact that the condition became manifested during a period of federal employment, nor the belief of appellant that the condition was caused or aggravated by her federal employment, is sufficient to establish causal relation.<sup>4</sup>

In this case, appellant alleged that she sustained a left hand and wrist injury because carrying two bundles stretched her tendons; as a consequence, she overused her right arm. The attending physicians of record have diagnosed tendinitis of the left hand and wrist, as well as right elbow epicondylitis. The deficiency in the medical evidence is the lack of a reasoned opinion, based on an accurate background, on causal relationship with the specific employment factors identified by appellant.

For example, in a report dated October 31, 1999, Dr. David Bush, an orthopedic surgeon, provides a history of a specific injury on September 22, 1998 when a bundle started to fall and appellant pushed the bundle back, resulting in thumb and arm pain. While this may be relevant to a traumatic injury claim, the claim in this case was for a left hand/wrist injury resulting from carrying bundles over a period of time. Dr. Bush does not discuss the work factors identified by appellant in this case.

In a November 17, 1999 report, he opined that repetitive grasping and lifting aggravated appellant's elbow symptoms. To the extent that appellant is claiming that other work duties caused injury to the right elbow, irrespective of a left arm injury, she has not provided a clear description of specific job duties that she believed contributed to a right elbow injury, nor a medical report based on a complete and accurate background.

It is appellant's burden of proof to submit sufficient factual and medical evidence. Her claim for tendinitis in the left hand or wrist, caused by carrying two bundles of mail over a period of time and consequential right elbow epicondylitis, is not supported by sufficient medical evidence. The record does not contain a reasoned medical opinion, based on a complete and accurate background, establishing an injury causally related to the identified employment factors.

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

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

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

The February 1, 2000 and September 28, 1999 decisions of the Office of Workers' Compensation Programs are affirmed.

Dated, Washington, DC  
May 8, 2001

Michael J. Walsh  
Chairman

Bradley T. Knott  
Alternate Member

Priscilla Anne Schwab  
Alternate Member