

U. S. DEPARTMENT OF LABOR

Employees' Compensation Appeals Board

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In the Matter of CHRISTINE DAWSON and U.S. POSTAL SERVICE,  
POST OFFICE, Sacramento, CA

*Docket No. 02-1419; Submitted on the Record;  
Issued December 11, 2002*

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DECISION and ORDER

Before ALEC J. KOROMILAS, COLLEEN DUFFY KIKO,  
DAVID S. GERSON

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

On December 20, 2001 appellant, then a 43-year-old letter carrier, filed a notice of occupational disease alleging that she suffered from low back pain and a right leg condition due to work factors. Appellant did not stop work. Her supervisor indicated on the back of the CA-2 form that appellant had been on limited duty for years.

In a "Primary Treating Physician's Progress Report" dated October 3, 2001, appellant was diagnosed with low back pain due to myofascial pain, degenerative disc disease, degenerative arthritis, lumbar spasm, quadratus lumburo spasm and a herniated disc at L5-S1. The report, however, was not signed by a physician.

In a January 10, 2002 letter, the Office of Workers' Compensation Programs advised appellant of the factual and medical evidence required to establish her claim.

In a decision dated February 20, 2002, the Office denied compensation.

The Board finds that appellant failed to establish that she sustained a back condition or a leg condition causally related to employment 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.

The medical evidence required to establish a causal relationship, generally, is rationalized medical opinion evidence. Rationalized medical opinion evidence is medical evidence which includes a physician's 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 upon 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>1</sup>

In this case, appellant did not carry her burden of proof to establish a causal relationship between her alleged back and leg condition and factors of her federal employment. Although appellant submitted a report diagnosing various medical conditions, that report was not signed by a physician. The report also did not address the issue of causal relationship. Because there is no rationalized medical evidence to support that appellant sustained a back or leg condition in the performance of duty, the Office properly denied compensation.<sup>2</sup>

The decision of the Office of Workers' Compensation Programs dated February 20, 2002 is hereby affirmed.

Dated, Washington, DC  
December 11, 2002

Alec J. Koromilas  
Member

Colleen Duffy Kiko  
Member

David S. Gerson  
Alternate Member

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<sup>1</sup> *George A. Ross*, 43 ECAB 346 (1991); *James D. Carter*, 43 ECAB 113 (1991).

<sup>2</sup> This decision does not preclude appellant from submitting additional evidence to the Office accompanied by a request for reconsideration.