

U. S. DEPARTMENT OF LABOR

Employees' Compensation Appeals Board

In the Matter of MELVIN LETT and U.S. POSTAL SERVICE,
POST OFFICE, Moss Point, MS

*Docket No. 01-1254; Submitted on the Record;
Issued January 8, 2002*

DECISION and ORDER

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

The issue is whether appellant's arthritis of the neck and right carpal tunnel syndrome are causally related to his employment.

On September 15, 2000 appellant, then a 54-year-old city carrier, filed a claim for an occupational disease for arthritis in his neck and carpal tunnel syndrome of his right hand. Appellant attributed these conditions to driving, turning and working the mail.

By letter dated October 31, 2000, the Office of Workers' Compensation Programs advised appellant that it needed a detailed description of the employment activities to which he attributed his condition, and a comprehensive report from his treating physician containing the doctor's opinion, with medical reasons, on the cause of his conditions.

By decision dated January 8, 2001, the Office found that appellant had not established that he sustained an occupational disease within the meaning of the Federal Employees' Compensation Act,¹ because the medical evidence he submitted did not link his neck problem or his carpal tunnel syndrome to his employment.

The Board finds that appellant has not established that his arthritis of the neck and his right carpal tunnel syndrome are causally related to his employment.

Appellant has the burden of establishing by the weight of the reliable, probative and substantial evidence that his condition was caused or adversely affected by his employment. As part of this burden he must present rationalized medical opinion evidence, based on a complete factual and medical background, showing causal relation. The mere fact that a disease manifests itself during a period of employment does not raise an inference that there is a causal relationship between the two. Neither the fact that the disease became apparent during a period of

¹ 5 U.S.C. §§ 8101-8193.

employment, nor the belief of appellant that the disease was caused or aggravated by employment conditions, is sufficient to establish causal relation.²

Appellant has submitted medical evidence that he has carpal tunnel syndrome of the right wrist, and a neck condition, variously diagnosed as a cervical strain with underlying cervical degenerative disc disease, cervical radiculopathy and cervical osteoarthritis. A magnetic resonance imaging scan of appellant's cervical spine done on October 23, 2000 showed degenerative disc changes at C5-6 and C6-7 and narrowing of the disc at C6.

None of the medical evidence appellant submitted, however, lends any support to appellant's claim that his carpal tunnel syndrome or his neck condition is causally related to his employment. A July 10, 2000 medical report alludes to a July 1, 2000 nonemployment automobile accident as the cause of appellant's neck condition and carpal tunnel syndrome. In any case, the Office is not required to disprove an employment relation. Causal relation between a disabling condition and the employment must be established in each case by affirmative evidence.³ Appellant has not submitted affirmative medical evidence that the claimed conditions are causally related to his employment and therefore has not met his burden of proof.

The decision of the Office of Workers' Compensation Programs dated January 8, 2001 is affirmed.

Dated, Washington, DC
January 8, 2002

Michael J. Walsh
Chairman

Bradley T. Knott
Alternate Member

Priscilla Anne Schwab
Alternate Member

² *Froilan Negrón Marrero*, 33 ECAB 796 (1982).

³ *Meyer Klein*, 27 ECAB 304 (1976).