

U. S. DEPARTMENT OF LABOR

Employees' Compensation Appeals Board

---

In the Matter of BETTY J. WILLIAMS and U.S. POSTAL SERVICE,  
POST OFFICE, West Bloomfield, MI

*Docket No. 03-1347; Submitted on the Record;  
Issued September 3, 2003*

---

DECISION and ORDER

Before DAVID S. GERSON, MICHAEL E. GROOM,  
A. PETER KANJORSKI

The issue is whether appellant sustained a recurrence of total disability for the period February 6 to 25, 2003 causally related to her accepted employment injury.

On February 14, 2001 appellant, then a 54-year-old letter carrier, filed an occupational disease claim alleging that she developed carpal tunnel syndrome beginning on September 1, 1996 due to casing mail and lifting heavy flats of mail. After initially denying appellant's claim, the Office of Workers' Compensation Programs accepted her claim for bilateral carpal tunnel syndrome by decision dated May 24, 2002.

On February 10, 2003 appellant filed a claim for a recurrence of disability on February 6, 2003. She indicated that she was limited to lifting no more than 10 pounds. The employing establishment provided an absence analysis indicating that appellant was not scheduled to work on February 6, 2003, but worked 7.84 hours of overtime and then stopped work until she returned on February 25, 2003.

By decision dated April 4, 2003, the Office of Workers' Compensation Programs denied appellant's claim on the grounds that the evidence of record did not establish that she sustained a recurrence of total disability for the period February 6 to 25, 2003 causally related to her accepted employment injury.<sup>1</sup>

The Board finds that appellant failed to establish that she sustained a recurrence of total disability for the period February 6 to 25, 2003 causally related to her accepted employment injury.

---

<sup>1</sup> Appellant submitted additional evidence subsequent to the Office decision of April 4, 2003. However, the jurisdiction of the Board is limited to the evidence that was before the Office at the time it issued its final decision; *see* 20 C.F.R. § 501.2 (c).

When an employee, who is disabled from the job she held when injured on account of employment-related residuals, returns to a light-duty position or the medical evidence of record establishes that she can perform the light-duty position, the employee has the burden to establish, by the weight of the reliable, probative and substantial evidence, a recurrence of total disability and show that she cannot perform such light duty. As part of this burden, the employee must show either a change in the nature and extent of the injury-related condition or a change in the nature and extent of the light-duty requirements.<sup>2</sup> In the instant case, appellant has failed to establish either a change in the nature or extent of her light-duty requirements or a change in her accepted injury-related condition.

In a disability certificate dated February 6, 2003, Dr. Inocencio A. Cuesta, a rheumatologist, stated that appellant had developed de Quervain's tenosynovitis of the right wrist and should be off work until February 25, 2003. However, de Quervain's disease is not an accepted condition in this case and Dr. Cuesta did not clearly indicate how this diagnosed condition was work related or otherwise explain how it was causally related to appellant's accepted employment injury, bilateral carpal tunnel syndrome. Dr. Cuesta did not explain how there had been a change in the nature and extent of appellant's injury-related condition such that she was totally disabled from February 6 to 25, 2003. Given this lack of medical rationale, Dr. Cuesta's report is of limited probative value.<sup>3</sup> Moreover, the record does not reveal that there was a change in the nature and extent of appellant's light-duty requirements. Therefore, this evidence is not sufficient to establish that appellant sustained an employment-related recurrence of total disability for the period February 6 to 25, 2003.<sup>4</sup>

---

<sup>2</sup> *Cynthia M. Judd*, 42 ECAB 246 (1990); *Stuart K. Stanton*, 40 ECAB 859 (1989).

<sup>3</sup> See *George Randolph Taylor*, 6 ECAB 986, 988 (1954) (finding that a medical opinion not fortified by medical rationale is of little probative value).

<sup>4</sup> The Board notes that the Office advised both appellant and Dr. Cuesta of the information needed to establish appellant's recurrence claim by letters dated March 3 and 6, 2003, respectively, but such information was not forthcoming.

The decision of the Office of Workers' Compensation Programs dated April 4, 2003 is affirmed.

Dated, Washington, DC  
September 3, 2003

David S. Gerson  
Alternate Member

Michael E. Groom  
Alternate Member

A. Peter Kanjorski  
Alternate Member