

FACTUAL HISTORY

On May 25, 2005 appellant, then a 42-year-old medical technologist, filed an occupational disease claim alleging that he sustained an injury to his hands due to continuous repetitive tasks such as entering data into a computer, opening bottles, setting up specimens and reading culture plates. He had been performing these tasks for 11 years at the employing establishment and, during the past few years, the staff of technologists had been reduced from seven to three which caused increased use of his hands.

Clinical notes from Dr. Matthew McCall for an April 13, 2005 visit indicated that appellant had bilateral wrist numbness at night and pain in his wrists and hands when using a computer at work. Notes dated May 16, 2005 indicated symptoms of bilateral wrist pain and numbness and incidents of dropping items. The notes indicated a “prob[able] ganglionic cyst on the right radial wrist” and possible carpal tunnel syndrome, although Phalen’s and Tinel’s tests were reported as negative.

By letter dated June 14, 2005, the Office requested additional information, including a detailed description of the employment activities which contributed to appellant’s condition, the frequency and length of time spent of each activity during the workday, and a comprehensive medical report describing his symptoms, the results of examinations and tests, the diagnosis and treatment provided and the physician’s rationalized opinion as to the cause of the diagnosed condition.

On June 27, 2005 Sheree Hune, appellant’s supervisor, provided a description of his work tasks and indicated that 90 percent of these tasks involved use of the hands and wrists. She noted that staffing shortages since 2001 had reduced the standard employee break periods.

In a June 10, 2005 nerve conduction study report, Dr. Ahmad Jafri stated that there was no electrophysiologic evidence of a medial or ulnar neuropathy in either of appellant’s upper extremities. He noted that “[n]erve conduction studies may be normal in [15] to [20] percent of patients suffering from bona fide entrapment neuropathies.” Dr. Jafri indicated that a nerve disorder could not be excluded without a detailed needle electromyographic examination of the limb and paraspinal muscles and that appellant had declined to undergo this test.

In a July 8, 2005 report, Dr. S. Vic Glogovac, an attending hand surgeon, diagnosed bilateral carpal tunnel syndrome caused by repetitive fine manipulations of the hands which resulted in pain, numbness and tingling.¹ He provided a list of work restrictions.

By decision dated August 5, 2005, the Office denied appellant’s claim on the grounds that the evidence failed to establish that his bilateral carpal tunnel syndrome was causally related to factors of his employment.

Appellant requested reconsideration and submitted additional evidence. In a June 13, 2005 report, Dr. Glogovac stated that appellant had a strong history and clinical examination

¹ Carpal tunnel syndrome is an entrapment/compression neuropathy of the median nerve. A.M.A., *Guides* 495.

“consistent with bilateral carpal tunnel syndrome in spite of unremarkable testing.” He indicated that appellant was being treated with conservative measures but he had discussed the possibility of surgical carpal tunnel release and cortisone injections.

By decision dated October 21, 2005, the Office denied modification of its August 5, 2005 decision.

LEGAL PRECEDENT

An employee seeking benefits under the Federal Employees’ Compensation Act² has the burden to establish the essential elements of her claim including the fact that the individual is an employee of the United States within the meaning of the Act, that the claim was timely filed within the applicable time limitation period of the Act, that an injury was sustained in the performance of duty as alleged and that any disability or condition for which compensation is claimed is causally related to the employment injury. Regardless of whether the asserted claim involves traumatic injury or occupational disease, an employee must satisfy this burden of proof.³ When an employee claims that she sustained an injury in the performance of duty, she must submit evidence to establish that she experienced a specific event, incident or exposure occurring at the time, place and in the manner alleged. She must also establish that such event, incident or exposure caused an injury.⁴

ANALYSIS

The Board finds that appellant failed to establish that his bilateral carpal tunnel syndrome was causally related to his federal employment. In reports dated June 13 and July 8, 2005, Dr. Glogovac diagnosed bilateral carpal tunnel syndrome caused by repetitive fine manipulations of the hands which resulted in pain, numbness and tingling. He stated that appellant had a strong history and clinical examination “consistent with bilateral carpal tunnel syndrome in spite of unremarkable testing.” However, Dr. Glogovac did not provide sufficient medical rationale to explain his opinion on causal relationship. Although he indicated that “fine manipulations” of the hands caused appellant’s condition, he did not address those employment activities involving fine hand manipulations which he believed caused or aggravated the diagnosed condition. In light of the negative tests, Dr. Glogovac did not provide sufficient explanation for his diagnosis of carpal tunnel syndrome. Medical reports not containing adequate rationale on causal relationship are of diminished probative value and are generally insufficient to meet an employee’s burden of proof.⁵ Dr. Glogovac’s reports are not sufficient to establish that appellant’s bilateral carpal tunnel syndrome is causally related to his federal employment.

² 5 U.S.C. §§ 8101-8193.

³ *Donald W. Wenzel*, 56 ECAB ___ (Docket No. 05-146, issued March 17, 2005).

⁴ *Joseph W. Kripp*, 55 ECAB ___ (Docket No. 03-1814, issued October 3, 2003).

⁵ *Ceferino L. Gonzales*, 32 ECAB 1591 (1981).

CONCLUSION

The Board finds that appellant did not meet his burden of proof to establish that his bilateral carpal tunnel syndrome was causally related to factors of his employment.

ORDER

IT IS HEREBY ORDERED THAT the decisions of the Office of Workers' Compensation Programs dated October 21 and August 5, 2005 are affirmed.

Issued: March 15, 2006
Washington, DC

Alec J. Koromilas, Chief Judge
Employees' Compensation Appeals Board

David S. Gerson, Judge
Employees' Compensation Appeals Board

Michael E. Groom, Alternate Judge
Employees' Compensation Appeals Board