



By letter dated July 21, 2006, the Office requested that appellant submit additional information regarding her claim. The Office noted the definitions of a traumatic injury and an occupational disease and requested that appellant clarify the nature of her claim.

In a report dated July 19, 2006, Dr. Janice Ribaud, a family practitioner, diagnosed carpal tunnel syndrome and “exacerbation of preexisting condition resolved.” Dr. Ribaud stated that appellant complained about her arm, which was injured on June 14, 2006 and also noted that appellant reported she progressively injured her left hand and wrist over a period of time. The record contains an investigative report from the employing establishment’s Office of Inspector General dated July 12, 2006. The report indicated that appellant had filed a claim for a right wrist injury on October 4, 2005 and she had filed a recurrence of disability claim in March 2006.

By decision dated August 24, 2006, the Office denied the claim for compensation. The Office noted that appellant had not responded to the July 21, 2006 letter.

### **LEGAL PRECEDENT**

An employee seeking benefits under the Federal Employees’ Compensation Act<sup>1</sup> has the burden of establishing 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 and/or specific condition for which compensation is claimed are causally related to the employment injury.<sup>2</sup> These are essential elements of each compensation claim regardless of whether the claim is predicated on a traumatic injury or an occupational disease.<sup>3</sup>

To establish that an injury was sustained in the performance of duty, a claimant must submit: (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 diagnosed condition is causally related to the employment factors identified by the claimant.<sup>4</sup>

### **ANALYSIS**

Appellant filed a traumatic injury claim alleging that she sustained a left hand and wrist injury while casing mail on June 14, 2006. It appears, however, that appellant was claiming an

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<sup>1</sup> 5 U.S.C. §§ 8101-8193.

<sup>2</sup> *Elaine Pendleton*, 40 ECAB 1143, 1145 (1989).

<sup>3</sup> *Delores C. Ellyett*, 41 ECAB 992 (1990).

<sup>4</sup> *Victor J. Woodhams*, 41 ECAB 345 (1989).

occupational injury that occurred over a period of time.<sup>5</sup> She reported to Dr. Ribaldo that her injury was a progressive injury over time rather than a traumatic injury. The Office asked appellant to clarify her claim in a July 21, 2006 letter, but there is no indication that appellant responded to the letter. Appellant did not adequately provide a factual basis for her claim by clearly identifying the alleged employment factors and explaining the nature of her claim.<sup>6</sup>

In addition, appellant failed to submit probative medical evidence. Dr. Ribaldo referred to an exacerbation of a preexisting condition, without providing a detailed history and a rationalized opinion on causal relationship between a diagnosed left arm condition and an employment factor.<sup>7</sup> Appellant did not meet her burden of proof to submit factual and medical evidence sufficient to establish an employment-related injury in this case.

The Board notes on appeal that appellant refers to the filing of a recurrence and her October 2005 claim. The only decision before the Board on this appeal is the August 24, 2006 decision with respect to a claim for a left wrist or hand injury.

### **CONCLUSION**

Appellant did not establish a left hand or wrist condition causally related to her federal employment.

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<sup>5</sup> An occupational disease or illness is a condition produced by the work environment over a period longer than a single workday or shift. 20 C.F.R. § 10.5(q).

<sup>6</sup> Any evidence submitted after the Office's August 24, 2006 decision cannot be reviewed by the Board since it was not before the Office at the time of its final decision; *see* 20 C.F.R. § 501.2(c); *James C. Campbell*, 5 ECAB 35 (1952).

<sup>7</sup> Rationalized medical opinion evidence is medical evidence that includes a physician's rationalized opinion on the issue of whether there is a causal relationship between a diagnosed condition and the identified employment factors. The opinion of the physician must be based on a complete factual and medical background, must be of reasonable medical certainty and supported by medical rationale explaining the nature of the relationship between the diagnosed condition and the specific employment factors identified by the claimant. *Allen C. Hundley*, 53 ECAB 551, 552 (2002).

**ORDER**

**IT IS HEREBY ORDERED THAT** the decision of the Office of Workers' Compensation Programs dated August 24, 2006 is affirmed.

Issued: February 27, 2007  
Washington, DC

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

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

James A. Haynes, Alternate Judge  
Employees' Compensation Appeals Board