

incident.² Moreover, OWCP acknowledged in a December 31, 2009 letter to appellant, “It is not clear [from] your statement how your claimed conditions [differ] from the condition accepted under claim number xxxxxx121 with date of injury May 1, 2008.” Its procedures provide for doubling of a claim when a new injury case is reported for an employee who previously filed an injury claim for a similar condition or the same part of the body and also where two or more separate injuries (not recurrences) have occurred on the same date.³

Therefore, for a full and fair adjudication, both of appellant’s claims pertaining to injuries or illness stemming from incidents occurring in early May 2008 should be doubled pursuant to OWCP’s procedures. The case will be remanded to OWCP to combine File Nos. xxxxxx082 and xxxxxx121. Following this and such other development as deemed necessary, OWCP shall issue an appropriate decision on appellant’s claim for compensation.

IT IS HEREBY ORDERED THAT the January 31, 2011 decision be set aside and the case remanded to the Office of Workers’ Compensation Programs for further proceedings consistent with this order of the Board.

Issued: December 12, 2011
Washington, DC

Richard J. Daschbach, Chief Judge
Employees’ Compensation Appeals Board

Alec J. Koromilas, Judge
Employees’ Compensation Appeals Board

Colleen Duffy Kiko, Judge
Employees’ Compensation Appeals Board

² The record contains a May 15, 2008 traumatic injury claim identifying the nature of the injury sustained on May 1, 2008 as low back, neck and shoulder. A December 11, 2009 occupational disease claim identifies the nature of the illness as neck strain and stress and indicates awareness of the condition since May 9, 2008.

³ *Supra* note 1 at Chapter 2.400.8(c)(1)-(2).