



have been factually established, it is not clear from either decision what OWCP has accepted in this regard.

The Board finds that the case is not in posture for decision. Given that appellant attributed her current back and right shoulder complaints to her previously accepted May 31, 2007 employment-related fall, OWCP should review the file in claim number xxxxxx083 and incorporate any relevant and pertinent evidence. It should also clarify what employment event(s) it considered to have been factually established. Although appellant filed a new occupational disease claim on March 3, 2010, it appears that she is attempting to expand the accepted conditions under claim number xxxxxx083.<sup>3</sup> Accordingly, the case is remanded to OWCP for further development, after which, a *de novo* decision shall be issued.

**IT IS HEREBY ORDERED THAT** the October 4, 2010 decision of the Office of Workers' Compensation Programs is set aside, and the case is remanded for further action consistent with this order of the Board.

Issued: September 28, 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

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<sup>3</sup> Where appellant claims that a condition not accepted or approved by OWCP was due to an employment injury, she bears the burden of proof to establish that the condition is causally related to the employment injury. *Jaja K. Asaramo*, 55 ECAB 200, 204 (2004). While appellant bears the burden of establishing her entitlement to Federal Employees' Compensation Act benefits, OWCP shares responsibility in the development of the evidence to see that justice is done. *Horace L. Fuller*, 53 ECAB 775, 777 (2002); *James P. Bailey*, 53 ECAB 484, 496 (2002); *William J. Cantrell*, 34 ECAB 1223 (1983).