



The claim in this case was based on asbestos exposure. There were no factual findings made as to the allegation. It is not clear whether OWCP has accepted asbestos exposure, and if so, the nature and extent of such exposure. Appellant made allegations regarding exposure, but there is no indication that OWCP sought specific information from the employing establishment as to the exposure.<sup>2</sup> Once the factual findings are properly established, the medical evidence of record may appropriately be reviewed. The hearing representative did not provide factual findings or a complete review of the medical evidence.

It is well established that a claimant is entitled to a decision with adequate findings of fact and a statement of reasons.<sup>3</sup> The Board finds the August 8, 2012 decision did not make sufficient findings on the factual and medical evidence, and the case will be remanded to OWCP for a proper decision with adequate findings on the issues presented. After such further development as OWCP deems necessary, it should issue an appropriate decision.

**IT IS HEREBY ORDERED THAT** the decision of the Office of Workers' Compensation Programs dated August 8, 2012 is set aside and the case remanded for further action consistent with this order of the Board.

Issued: August 12, 2013  
Washington, DC

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

Colleen Duffy Kiko, Judge  
Employees' Compensation Appeals Board

Patricia Howard Fitzgerald, Judge  
Employees' Compensation Appeals Board

---

<sup>2</sup> *Cf.*, *M.S.*, Docket No. 11-263 (issued September 14, 2011) (OWCP requested evidence from the employing establishment as to asbestos exposure).

<sup>3</sup> 5 U.S.C. § 8124 states that OWCP shall determine and make a finding of facts with respect to an award for or against payment of compensation. 20 C.F.R. § 10.126 states that an OWCP decision shall contain findings of fact and a statement of reasons. *See also Avalon C. Bailey*, 56 ECAB 223 (2004).