

pull mail in rolling equipment, bend and stand for up to six hours in one place sorting mail and loading and unloading mail. Dr. Treiman opined that these work duties caused the joints of appellant's feet to undergo change which caused a break down in the support structure of the feet causing bones to become worn and torn. She stated that there was a causal relationship between his foot discomfort and working on his feet for the employing establishment for 25 years. Dr. Treiman supported that appellant's work duties caused or aggravated his bilateral foot condition. This report was received by OWCP on March 18, 2013. On April 30, 2013 counsel requested that OWCP address his March 18, 2013 reconsideration request. In its July 25, 2013 decision, OWCP denied appellant's reconsideration request on the grounds that the evidence submitted was repetitious and insufficient to warrant merit review. It noted receipt of his reconsideration request and addressed previously submitted evidence but it did not consider the March 3, 2013 report from Dr. Treiman.

The Board finds that OWCP, in its July 25, 2013 decision, did not review the March 3, 2013 report from Dr. Treiman that was received by OWCP on March 18, 2013.² For this reason, the case will be remanded to OWCP to enable it to properly consider all the evidence submitted at the time of the July 25, 2013 decision. Following such further development as OWCP deems necessary, it shall issue an appropriate decision on the reconsideration request.

IT IS HEREBY ORDERED THAT the July 25, 2013 decision of the Office of Workers' Compensation Programs is set aside. The case recorded is remanded to OWCP for further proceedings consistent with this order of the Board.

² See *Linda Johnson*, 45 ECAB 439, 440 (1994) (where the Board held that it is necessary that OWCP review all evidence submitted by a claimant and received by OWCP prior to issuance of its final decision).

Issued: April 25, 2014
Washington, DC

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

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

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