

preexisting injury. She stated that her condition resulted from her employers' insistence that she use leave or work longer shifts to cover her physician's recommended light-duty work restriction of 10- to 15-minute breaks for every hour spent using a keyboard, due to a neck condition. Under the heading "nature of disease or illness," appellant wrote, "stress and strain in aggravation of a pre-existing injury."

In a record of a telephone conversation dated April 19, 2013, appellant stated that she had meant to file a claim for stress at work, which aggravated her preexisting conditions of depression and anxiety. In a letter dated April 19, 2013, she noted that the initial date of aggravation of her depression and anxiety was March 15, 2013 and described employment factors relating to her claim. Appellant also submitted e-mail records dating from March 19 through 21, 2013 regarding the alleged work factors.

Appellant submitted a report dated April 11, 2013 from Dr. Denise M. Hawks, a Board-certified psychiatrist.

In an occupational disease claim dated June 5, 2013, appellant alleged that her neck and shoulders sustained fatigue and overexertion from prolonged data entry in the performance of duty. OWCP assigned this claim File No. xxxxxx311.

On June 17, 2013 OWCP determined that it had created two separate cases for the same injury and combined the two cases under the File No. xxxxxx920.

In a June 24, 2013 decision, OWCP denied appellant's claim on the grounds that she had not established any employment factors related to an orthopedic neck condition, stating that her claim appeared to be for a neck condition rather than an emotional condition. It noted that her March 22, 2013 claim for occupational disease contained a statement that her condition occurred when she sustained a neck injury. OWCP stated that, in order to have her emotional condition considered, appellant must file a separate CA-2 claim and clearly indicate that she was claiming an emotional condition.

Because OWCP considered only appellant's claim for a neck condition in its June 24, 2013 decision, it did not make adequate findings regarding her statements alleging work factors relating to her emotional condition, or the probative value of Dr. Hawks' April 11, 2013 report.

The case will be remanded for OWCP for proper findings and a decision that adequately addresses appellant's claim for an emotional condition. 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 June 24, 2013 is set aside and the case remanded for further action consistent with this order of the Board.³

Issued: May 22, 2014
Washington, DC

Colleen Duffy Kiko, Judge
Employees' Compensation Appeals Board

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

³ Richard J. Daschbach, Chief Judge, who participated in the preparation of this order, was no longer a member of the Board after May 16, 2014.