



has not been adjudicated under prior claims, specifically xxxxxx520, xxxxxx793, xxxxxx379 or xxxxxx142. The evidence submitted was insufficient to establish your claim because no specific details were provided surrounding new incidents has been claimed to have caused your condition.” The claims examiner noted that “[OWCP] has adjudicated 2008, 2010, 2012 and 2013 incidents under prior claims and cannot [be] re-adjudicated under a new claim and specifically on reconsideration.” He further noted that “the evidence does not support that you actually experienced an employment incidents alleged to have occurred that has not been alleged and adjudicated under prior cases with [OWCP].”

The Board has duly considered the matter and notes that the case is not in posture for a decision. The claim before the Board, case file number xxxxxx196, involves appellant’s claim for an emotional condition from work incidents he experienced from 1997 to 2013. OWCP denied his claim on the grounds that he did not establish that he sustained a new work-related occupational condition based on new incidents. In the July 29, 2014 decision, it noted reviewing evidence and findings made in case file numbers xxxxxx530, xxxxxx793, xxxxxx379 and xxxxxx142. OWCP’s decision indicates that case file numbers xxxxxx530, xxxxxx793, xxxxxx379 and xxxxxx142 may have evidence germane to claim number xxxxxx196.

Pursuant to its procedures, OWCP has determined that cases should be combined where correct adjudication depends on cross-referencing between files. In the instant appeal, it appears that, for a full and fair adjudication, OWCP claims pertaining to appellant’s emotional condition should be combined pursuant to OWCP procedures.<sup>3</sup> This will allow OWCP to consider all relevant claim files in developing appellant’s claim.

The case will be remanded to OWCP to combine case files numbers xxxxxx196, xxxxxx530, xxxxxx793, xxxxxx379 and xxxxxx142. Following this and such other development as deemed necessary, OWCP shall issue an appropriate merit decision on appellant’s claim.

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<sup>3</sup> Federal (FECA) Procedure Manual, Part 2 -- Claims, *File Maintenance and Management*, Chapter 2.400.8(c) (February 2000).

**IT IS HEREBY ORDERED THAT** the July 29, 2014 decision be set aside and the matter remanded to the Office of the Workers' Compensation Programs for further proceedings consistent with this order.

Issued: April 14, 2015  
Washington, DC

Christopher J. Godfrey, Chief Judge  
Employees' Compensation Appeals Board

Patricia H. Fitzgerald, Deputy Chief Judge  
Employees' Compensation Appeals Board

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