

packages caused her condition. Appellant became aware of her condition and its relation to her federal employment on January 7, 2014. She did not stop work.

In a March 28, 2014 report, Dr. William Craig, a Board-certified physiatrist, noted that appellant complained of low back pain and numbness in the lower limbs. He also noted that she related to him that her pain disrupted her sleep at night and that it was aggravated by climbing stairs. Upon physical examination, Dr. Craig found that there was tenderness in the lower lumbar spine. He advised that x-rays of the back were taken and he diagnosed right lumbar radiculopathy, and herniated lumbar disc. Dr. Craig also advised that he treated appellant with a transforaminal epidural steroid injection to relieve her pain.

In a May 19, 2014 statement, Ed Young, a postmaster, advised that he was not at the Fairfield office when appellant was injured. He stated that he asked a fellow employee whether appellant reported her injury to him and he replied “no.” Mr. Young also stated that appellant submitted a blank Form CA-2 to him on April 2, 2014.

By letter dated June 11, 2014, OWCP informed appellant that the evidence was insufficient to establish her claim and advised her of the type of evidence needed to establish her claim. It particularly requested that she provide a physician’s opinion supported by a medical explanation as to whether specific work exposures contributed to a diagnosed condition. OWCP informed appellant that this evidence was crucial to her claim.

By decision dated July 21, 2014, OWCP denied appellant’s claim because the medical evidence was insufficient to establish that factors of her employment caused her diagnosed conditions.

LEGAL PRECEDENT

An employee seeking benefits under FECA has the burden to establish the essential elements of his or her claim, including the fact that the individual is an employee of the United States within the meaning of FECA, that the claim was timely filed within the applicable time limitation, that an injury was sustained in the performance of duty as alleged, and that any disabilities and/or specific conditions for which compensation is claimed are causally related to the employment injury.² These are the essential elements of each and every compensation claim regardless of whether the claim is predicated upon a traumatic injury or an occupational disease.³

Whether an employee actually sustained an injury in the performance of duty begins with an analysis of whether fact of injury has been established. To establish an occupational disease claim, an employee must submit: (1) a factual statement identifying employment factors alleged to have caused or contributed to the presence or occurrence of the disease or condition; (2) medical evidence establishing the presence or existence of the disease or condition for which

² *Elaine Pendleton*, 40 ECAB 1143 (1989).

³ *Victor J. Woodhams*, 41 ECAB 345 (1989).

compensation is claimed; and (3) medical evidence establishing that the diagnosed condition is causally related to the employment factors identified by the employee.⁴

Causal relationship is a medical issue and the evidence generally required to establish causal relationship is rationalized medical opinion evidence. Rationalized medical opinion evidence is generally required to establish causal relationship. The opinion of the physician must be based on a complete factual and medical background, must be one of reasonable medical certainty, and must be supported by medical rationale explaining the nature of the relationship between the diagnosed condition and the specific employment factors identified by the claimant.⁵ The weight of medical evidence is determined by its reliability, its probative value, its convincing quality, the care of analysis manifested and the medical rationale expressed in support of the physician's opinion.⁶

ANALYSIS

Appellant claimed that she sustained a low back injury due to factors of her employment. There is no dispute that her job includes casing mail, loading trays, and handling packages. However, the medical evidence is insufficient to establish that appellant's claimed back injury is causally related to such employment factors.

The only medical evidence submitted was the March 28, 2014 report from Dr. Craig. In his report, Dr. Craig noted that appellant complained of low back pain, numbness in the lower limbs, and found that there was tenderness in the lower lumbar spine. He diagnosed right lumbar radiculopathy and herniated lumbar disc, and advised that he treated appellant with a steroid injection for pain relief. This report is insufficient to discharge appellant's burden of proof. Dr. Craig failed to relate any knowledge of appellant's federal work duties and did not explain how those duties caused or aggravated appellant's diagnosed conditions. Additionally, Dr. Craig's report does not provide any history of the injury or any opinion regarding causal relationship. The Board has held that reports that lack an opinion on causal relationship are of little probative value.⁷

Consequently, appellant has submitted insufficient medical evidence to establish her claim.

On appeal, appellant described her job duties and her symptoms. However, the factual aspect of the claim is not in dispute. Appellant has failed to provide any medical evidence establishing that her particular job duties caused or aggravated an injury.

⁴ *R.H.*, 59 ECAB 382 (2008); *Ernest St. Pierre*, 51 ECAB 623 (2000).

⁵ *I.J.*, 59 ECAB 408 (2008); *supra* note 3.

⁶ *James Mack*, 43 ECAB 321 (1991).

⁷ *See Jaja K. Asaramo*, 55 ECAB 200 (2004).

Appellant may submit new evidence or argument as part of a formal written request for reconsideration to OWCP within one year of this merit decision, pursuant to 5 U.S.C. § 8128(a) and 20 C.F.R. §§ 10.605 through 10.607.

CONCLUSION

The Board finds that appellant did not establish an occupational disease caused by work-related events.

ORDER

IT IS HEREBY ORDERED THAT the July 21, 2014 decision of the Office of Workers' Compensation Programs is affirmed.

Issued: January 9, 2015
Washington, DC

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

Colleen Duffy Kiko, Judge
Employees' Compensation Appeals Board

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