



injured his left ankle and knee when he slipped on a piece of paper while climbing on an aircraft. He stopped work on December 9, 2014.

In support of his claim, appellant submitted a December 10, 2014 medical note from Dr. Michael Guthrie, a Board-certified internist. The medical note indicated that appellant was under Dr. Guthrie's care and could return to work on December 17, 2014.

In a January 2, 2015 letter, OWCP informed appellant that the medical evidence of record was insufficient to support his claim. It advised him to provide a physician's opinion supported by a medical explanation as to how employment activities caused the claimed condition. Appellant was afforded 30 days to submit additional evidence. No further medical evidence was received.

In a February 25, 2015 decision, OWCP denied appellant's claim, finding that the medical evidence was insufficient to establish that he sustained an injury causally related to the employment incident.

### **LEGAL PRECEDENT**

An employee seeking compensation under FECA has the burden of establishing the essential elements of his or her claim by the weight of reliable, probative, and substantial evidence,<sup>2</sup> including that he or she is an "employee" within the meaning of FECA and that he or she filed his or her claim within the applicable time limitation.<sup>3</sup> The employee must also establish that he sustained an injury in the performance of duty as alleged and that his disability for work, if any, was causally related to the employment injury.<sup>4</sup>

To determine whether a federal employee has sustained a traumatic injury in the performance of duty, it first must be determined whether fact of injury has been established. There are two components involved in establishing fact of injury. First, the employee must submit sufficient evidence to establish that he actually experienced the employment incident at the time, place, and in the manner alleged. Second, the employee must submit evidence, in the form of medical evidence, to establish that the employment incident caused a personal injury.<sup>5</sup>

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 evidence which includes a physician's opinion on the issue of whether there is a causal relationship between the claimant's diagnosed condition and the implicated employment factors. 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

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<sup>2</sup> *J.P.*, 59 ECAB 178 (2007); *Joseph M. Whelan*, 20 ECAB 55, 57 (1968).

<sup>3</sup> *R.C.*, 59 ECAB 427 (2008).

<sup>4</sup> *Id.*; *Elaine Pendleton*, 40 ECAB 1143, 1145 (1989).

<sup>5</sup> *T.H.*, 59 ECAB 388 (2008).

rationale explaining the nature of the relationship between the diagnosed condition and the specific employment factors identified by the claimant.<sup>6</sup>

### ANALYSIS

The evidence supports that appellant slipped on a piece of paper while climbing on an aircraft on December 9, 2014. The issue is whether the medical evidence establishes that appellant's claimed condition resulted from the accepted employment incident. The Board finds that appellant did not establish a causal relationship between the diagnosed condition and the employment incident.

The only medical evidence received by OWCP was a December 10, 2014 note from Dr. Guthrie, to the effect that appellant was under medical care and could not return to work until December 17, 2014. Dr. Guthrie did not provide a history of injury, a diagnosis, or any opinion regarding the cause of appellant's injury. The Board has held that medical evidence that does not offer any opinion regarding the cause of an employee's condition is of limited probative value on the issue of causal relationship.<sup>7</sup> Accordingly, Dr. Guthrie's report is insufficient to establish fact of injury. OWCP informed appellant of the deficiencies in the evidence in a January 2, 2015 letter. Appellant did not submit any additional medical evidence.

Appellant may submit new evidence or argument with a 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 meet his burden of proof to establish that he sustained a traumatic injury in the performance of duty on December 9, 2014.

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<sup>6</sup> *I.J.*, 59 ECAB 408 (2008); *Victor J. Woodhams*, 41 ECAB 345, 352 (1989).

<sup>7</sup> *J.F.*, Docket No. 09-1061 (issued November 17, 2009).

**ORDER**

**IT IS HEREBY ORDERED THAT** the February 25, 2015 decision of the Office of Workers' Compensation Programs is affirmed.

Issued: July 7, 2015  
Washington, DC

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

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

James A. Haynes, Alternate Judge  
Employees' Compensation Appeals Board