

**United States Department of Labor
Employees' Compensation Appeals Board**

S.D., Appellant)

and)

U.S. POSTAL SERVICE, POST OFFICE,)
Boston, MA, Employer)

**Docket No. 17-1873
Issued: February 2, 2018**

Appearances:
Appellant, pro se
Office of Solicitor, for the Director

Case Submitted on the Record

DECISION AND ORDER

Before:

CHRISTOPHER J. GODFREY, Chief Judge
ALEC J. KOROMILAS, Alternate Judge
VALERIE D. EVANS-HARRELL, Alternate Judge

JURISDICTION

On September 5, 2017 appellant filed a timely appeal from a May 26, 2017 merit decision of the Office of Workers' Compensation Programs (OWCP). Pursuant to the Federal Employees' Compensation Act¹ (FECA) and 20 C.F.R. §§ 501.2(c) and 501.3, the Board has jurisdiction to consider the merits of this case.

ISSUE

The issue is whether appellant met his burden of proof to establish dehydration causally related the accepted September 27, 2016 employment incident.

FACTUAL HISTORY

On April 2, 2017 appellant, then a 32-year-old mail carrier, filed a traumatic injury claim (Form CA-1) alleging that on September 27, 2016 he developed a headache, nausea, angina, and

¹ 5 U.S.C. § 8101 *et seq.*

light-headedness due to dehydration while in the performance of duty. He returned to work on September 28, 2016.

In support of his claim, appellant submitted a September 27, 2016 emergency room report from Dr. Samantha Stoll, a specialist in emergency medicine, who indicated that appellant was seen for complaints of nausea and diaphoresis. Dr. Stoll reported that appellant developed a mild headache, dizziness, and became diaphoretic while delivering mail that day. Physical examination findings were detailed and bloodwork results revealed mild dehydration. Based on the results of the bloodwork, Dr. Stoll attributed appellant's headache and other symptoms to dehydration.

By development letter dated April 25, 2017, OWCP informed appellant that the evidence of record was insufficient to establish his claim. It advised him regarding the medical and factual evidence necessary to establish his claim. Appellant was afforded 30 days to provide the additional evidence.

In response to OWCP's request, appellant submitted a May 1, 2017 witness statement from a customer and his own May 2, 2017 statement claiming that he became dehydrated on September 27, 2016 while delivering mail. He also resubmitted a September 27, 2016 emergency room report signed by Dr. Stoll.

By decision dated May 26, 2017, OWCP denied appellant's claim finding that the incident occurred, however, he had failed to establish causal relationship. It found that the record failed to contain a well-rationalized medical opinion explaining how the diagnosed condition was causally related to the accepted employment incident.

LEGAL PRECEDENT

An employee seeking benefits under FECA² has the burden of proof 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 filed within the applicable time limitation, that an injury was sustained while in the performance of duty as alleged, and that any disability and/or specific conditions for which compensation is claimed are causally related to the employment injury.³ These are the essential elements of each and every compensation claim regardless of whether the claim is predicated on a traumatic injury or an occupational disease.⁴

To determine whether a federal employee has sustained a traumatic injury in the performance of duty it must first be determined whether fact of injury has been established.⁵ First, the employee must submit sufficient evidence to establish that he actually experienced the

² *Id.*

³ C.S., Docket No. 08-1585 (issued March 3, 2009); *Bonnie A. Contreras*, 57 ECAB 364 (2006).

⁴ *S.P.*, 59 ECAB 184 (2007); *Joe D. Cameron*, 41 ECAB 153 (1989).

⁵ *B.F.*, Docket No. 09-0060 (issued March 17, 2009); *Bonnie A. Contreras*, *supra* note 3.

employment incident at the time and place and in the manner alleged.⁶ Second, the employee must submit sufficient evidence, generally only in the form of medical evidence, to establish that the employment incident caused a personal injury.⁷

Causal relationship is a medical issue and the medical evidence generally required to establish causal relationship is rationalized medical opinion evidence.⁸ Rationalized medical opinion evidence is medical evidence which includes a physician's rationalized opinion on whether there is causal relationship between the employee's diagnosed condition and the compensable employment factors.⁹ The opinion of the physician must be based on a complete factual and medical background of the employee, 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 employee.¹⁰

ANALYSIS

OWCP accepted that appellant's employment duties on September 27, 2016 occurred at the time, place, and in the manner alleged. The remaining issue is whether appellant's dehydration resulted from the accepted September 27, 2016 employment incident. The Board finds that appellant failed to meet his burden of proof to establish causal relationship.

As noted above, causal relationship is a medical question that generally requires rationalized medical opinion evidence to resolve the issue.¹¹ A physician's opinion on causal relationship must be based on a complete factual and medical background.¹² The mere fact that a condition manifests itself during a period of employment is not sufficient to establish causal relationship.¹³ Temporal relationship alone will not suffice.¹⁴ Furthermore, appellant's personal belief that his employment activities either caused or contributed to his condition is insufficient, by itself, to establish causal relationship.¹⁵

⁶ *D.B.*, 58 ECAB 464 (2007); *David Apgar*, 57 ECAB 137 (2005).

⁷ *C.B.*, Docket No. 08-1583 (issued December 9, 2008); *D.G.*, 59 ECAB 734 (2008); *Bonnie A. Contreras*, *supra* note 3.

⁸ *Y.J.*, Docket No. 08-1167 (issued October 7, 2008); *A.D.*, 58 ECAB 149 (2006); *D'Wayne Avila*, 57 ECAB 642 (2006).

⁹ *J.J.*, Docket No. 09-0027 (issued February 10, 2009); *Michael S. Mina*, 57 ECAB 379 (2006).

¹⁰ *I.J.*, 59 ECAB 408 (2008); *Victor J. Woodhams*, 41 ECAB 345 (1989).

¹¹ *Robert G. Morris*, 48 ECAB 238 (1996).

¹² *Victor J. Woodhams*, *supra* note 10.

¹³ 20 C.F.R. § 10.115(e).

¹⁴ *See D.I.*, 59 ECAB 158, 162 (2007).

¹⁵ *Id.*; *Phillip L. Barnes*, 55 ECAB 426 (2004).

In support of his claim, appellant submitted a September 27, 2016 emergency department report from Dr. Stoll. Dr. Stoll provided examination findings and diagnosed mild dehydration, noting that appellant was delivering mail at the time he developed symptoms of dehydration. She opined that appellant's headache and other symptoms were due to his dehydration, but she did not provide an opinion as to the cause of the dehydration. Dr. Stoll did not describe appellant's employment duties on September 27, 2016 in any detail nor did she provide a rationalized explanation as to why appellant would have physiologically become dehydrated due to his employment duties.¹⁶ Thus, the report from Dr. Stoll is insufficient to support a causal relationship between the diagnosed condition and the accepted September 27, 2016 employment incident.

A physician's opinion must be expressed in terms of a reasonable degree of medical certainty, and must be supported by medical rationale, explaining the nature of the relationship between the diagnosed condition and appellant's specific employment factor(s).¹⁷ In this instance, the above-referenced report does not adequately explain how appellant's delivering mail on September 27, 2016 either caused or contributed to his dehydration that day.

The Board finds that the medical evidence of record fails to establish that appellant's dehydration was causally related to his accepted September 27, 2016 employment incident. Accordingly, appellant has failed to meet his burden of proof.

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 CFR §§ 10.605 through 10.607.

CONCLUSION

The Board finds that appellant has not met his burden of proof to establish dehydration causally related to the accepted September 27, 2016 employment incident.

¹⁶ See *B.A.*, Docket No. 17-1130 (issued November 24, 2017).

¹⁷ *Victor J. Woodhams*, *supra* note 10.

ORDER

IT IS HEREBY ORDERED THAT the decision of the Office of Workers' Compensation Programs dated May 26, 2017 is affirmed.

Issued: February 2, 2018
Washington, DC

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

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

Valerie D. Evans-Harrell, Alternate Judge
Employees' Compensation Appeals Board