

On August 4, 2017 OWCP vacated the May 2, 2017 decision. It noted that appellant had provided sufficient evidence to warrant modification of the May 2, 2017 decision and indicated that the decision was now vacated. OWCP further determined that the evidence of record was sufficient to vacate the decision dated May 2, 2017, but she had not provided evidence which contained a comprehensive statement of causal relationship which explained how her work duties caused or aggravated a medical condition.

On August 29, 2017 appellant, through counsel, filed an appeal to the Board from the August 4, 2017 OWCP decision. The Board is unable to render a determination as to the status of the denial of appellant's claim. Under section 8103(a) of FECA, OWCP is required by statute and regulations to make findings of fact in making a determination regarding entitlement to compensation benefits.² OWCP's procedures further specify that a final decision of OWCP must include findings of fact and provide clear reasoning which allows the claimant to understand the precise defect of the claim and the kind of evidence which would tend to overcome it.³ These requirements are supported by Board precedent.⁴

In this case, the Board finds that OWCP failed to follow these procedures and the Board is unable to determine the status of appellant's claim. Accordingly, the Board finds that the case is not in posture for a decision and must be remanded for issuance of an appropriate decision.

The Board will set aside OWCP's August 4, 2017 decision and remand the case for a *de novo* decision.

² 5 U.S.C. § 8124(a) provides: OWCP shall determine and make a finding of facts and make an award for or against payment of compensation. 20 C.F.R. § 10.126 provides in pertinent part that the final decision of OWCP shall contain findings of fact and a statement of reasons.

³ See Federal (FECA) Procedure Manual, Part 2 -- Claims, *Disallowances*, Chapter 2.1400.4 (February 2013).

⁴ See *T.K.*, Docket No. 09-1729 (issued May 10, 2010); *James D. Boller, Jr.*, 12 ECAB 45, 46 (1960).

ORDER

IT IS HEREBY ORDERED THAT the August 4, 2017 decision of the Office of Workers' Compensation Programs is set aside and remanded to OWCP for action consistent with the terms of this order.

Issued: September 18, 2019
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