

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

A.G., Appellant	)	
	)	
and	)	<b>Docket No. 22-0814</b>
	)	<b>Issued: August 30, 2022</b>
U.S. POSTAL SERVICE, POST OFFICE,	)	
Little Rock, AR, Employer	)	
	)	

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

*Case Submitted on the Record*

**ORDER REMANDING CASE**

Before:  
ALEC J. KOROMILAS, Chief Judge  
JANICE B. ASKIN, Judge  
VALERIE D. EVANS-HARRELL, Alternate Judge

On May 3, 2022 appellant filed a timely appeal from January 6 and April 27, 2022 merit decisions of the Office of Workers' Compensation Programs (OWCP) in relation to OWCP File No. xxxxxx820. The Clerk of the Appellate Boards docketed the appeal as No. 22-0814.

On March 17, 2021 appellant, then a 41-year-old window clerk, filed a traumatic injury claim (Form CA-1) alleging that on March 15, 2021 she injured her middle area of her back when bending and lifting to sort flat bundles while in the performance of duty. She stopped work on March 15, 2021. OWCP assigned the claim File No. xxxxxx820.<sup>1</sup>

By decision dated September 14, 2021, OWCP denied appellant's traumatic injury claim, finding that the medical evidence of record was insufficient to establish a diagnosed medical condition causally related to the accepted March 15, 2021 employment incident. Thus, it concluded that requirements had not been met to establish an injury under FECA.

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<sup>1</sup> Under OWCP File No. xxxxxx945, OWCP previously accepted a June 3, 2020 traumatic injury claim for a lumbar spine and ligament sprain.

On October 15, 2021 appellant requested reconsideration of OWCP's September 14, 2021 decision.

By decision dated January 6, 2022, OWCP modified its prior decision, finding that appellant had established a diagnosed medical condition. However, the claim remained denied as the medical evidence of record was insufficient to establish a back condition causally related to the accepted March 15, 2021 employment incident. OWCP noted that appellant had a previously accepted claim under File No. xxxxxx945.

On January 31, 2022 appellant requested reconsideration and submitted additional evidence.

By decision dated April 27, 2022, OWCP denied modification of its January 6, 2022 decision.

The Board, having duly considered this matter, finds that this case is not in posture for decision.

OWCP's procedures provide that cases should be administratively combined when correct adjudication of the issues depends on frequent cross-referencing between case files.<sup>2</sup> For example, if a new injury case is reported for an employee who previously filed an injury claim for a similar condition or the same part of the body, doubling is required.<sup>3</sup> Herein, appellant's accepted claim under OWCP File No. xxxxxx945 also involved a back condition, which is at issue in the present claim, OWCP File No. xxxxxx820. For a full and fair adjudication, the case must be returned to OWCP to administratively combine the current case record, OWCP File No. xxxxxx820, with OWCP File No. xxxxxx945, so it can consider all accompanying evidence in adjudicating appellant's current traumatic injury claim.<sup>4</sup>

Following this and such further development as OWCP deems necessary, it shall issue a *de novo* decision. Accordingly,

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<sup>2</sup> Federal (FECA) Procedure Manual, Part 2 -- Claims, *File Maintenance and Management*, Chapter 2.400.8(c) (February 2000); *T.D.*, Docket No. 20-1119 (issued January 29, 2021); *R.R.*, Docket No. 19-0368 (issued November 26, 2019).

<sup>3</sup> *Id.*; *M.L.*, Docket No. 20-1176 (issued April 29, 2021); *L.M.*, Docket No. 19-1490 (issued January 29, 2020); *L.H.*, Docket No. 18-1777 (issued July 2, 2019).

<sup>4</sup> *Supra* note 2 at Chapter 2.400.8(c)(1); *W.D.*, Docket No. 19-0961 (issued March 31, 2021); *L.P.*, Docket Nos. 18-1558, 18-1568 (issued June 21, 2019).

**IT IS HEREBY ORDERED THAT** the January 6 and April 27, 2022 decisions of the Office of Workers' Compensation Programs are set aside and the case is remanded for further proceedings consistent with this order of the Board.

Issued: August 30, 2022  
Washington, DC

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

Janice B. Askin, Judge  
Employees' Compensation Appeals Board

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