United States Department of Labor Employees' Compensation Appeals Board

E.F., Appellant	
and) Docket No. 22-0077 Legged: Lyne 10, 2022
U.S. POSTAL SERVICE, CLOVIS POST OFFICE, Clovis, CA, Employer) Issued: June 10, 2022)))
Appearances: Appellant, pro se Office of Solicitor, for the Director	Case Submitted on the Record

ORDER REMANDING CASE

PATRICIA H. FITZGERALD, Deputy Chief Judge JANICE B. ASKIN, Judge JAMES D. McGINLEY, Alternate Judge

On October 25, 2021 appellant filed a timely appeal from an October 14, 2021 merit decision of the Office of Workers' Compensation Programs (OWCP). The Clerk of the Appellate Boards assigned Docket No. 22-0077.

On August 3, 2021 appellant, then a 58-year-old city carrier, filed an occupational disease claim (Form CA-2) alleging that she developed right shoulder, elbow, and wrist conditions due to factors of her federal employment including repetitive computer work and answering telephones. She noted that she first became aware of her condition and realized its relation to her federal employment on June 7, 2021. Appellant stopped work on August 2, 2021.

By decision dated October 14, 2021, OWCP denied appellant's occupational disease claim, finding that the medical evidence of record was insufficient to establish that her right shoulder condition was causally related to the accepted factors of her federal employment. In this decision, it referenced a prior claim, OWCP File No. xxxxxxx 188 that was accepted for a right shoulder condition with a date of injury of November 1, 2006.¹

¹ The Board notes that appellant filed a prior claim in OWCP File No. xxxxxx188 for an occupational disease for a right shoulder condition.

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 files.² 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.³ In the present claim, appellant alleged repetitive injuries to her right shoulder. OWCP had previously accepted that she developed a right shoulder condition under OWCP File No. xxxxxxx188. However, as of the date of its October 14, 2021 decision, OWCP had not administratively combined the present claim with her previously accepted claim pertaining to a right shoulder condition.

As OWCP File No. xxxxxx188 also involves a claim to appellant's right shoulder, for a full and fair adjudication, the Board will remand the case to OWCP to administratively combine the case records for OWCP File Nos. xxxxxx479 and xxxxxx188.⁴ Following this and other such further development as OWCP deems necessary, it will issue a *de novo* decision.⁵

² Federal (FECA) Procedure Manual, Part 2 -- Claims, *File Maintenance and Management*, Chapter 2.400.8(c) (February 2000).

³ *Id.*; *L.M.*, Docket No. 19-1490 (issued January 29, 2020); *L.H.*, Docket No 18-1777 (issued July 2, 2019).

⁴ *Id*.

⁵ R.G., Docket No. 19-1755 (issued July 7, 2020); L.M., supra note 3.

IT IS HEREBY ORDERED THAT the October 14, 2021 decision of the Office of Workers' Compensation Programs is set aside, and the case is remanded for further proceedings consistent with this order of the Board.

Issued: June 10, 2022 Washington, DC

Patricia H. Fitzgerald, Deputy Chief Judge Employees' Compensation Appeals Board

Janice B. Askin, Judge

Employees' Compensation Appeals Board

James D. McGinley, Alternate Judge Employees' Compensation Appeals Board