

explained that he also engaged in repetitive motions including washing dishes, pots, and pans, breaking down food scraps, working the tray line, placing food onto trays, and cooking food by whipping, stirring, flipping, scraping, and serving the food. He noted that he first became aware of his condition on October 12, 2021 and realized its relation to his federal employment on February 18, 2022. Appellant did not stop work.

A March 8, 2022 letter from the employing establishment noted that appellant had previously filed a traumatic injury claim (Form CA-1) for an October 21, 2021 right hand injury which was accepted by OWCP, and that he contacted the employing establishment on November 1, 2021 seeking information on how to file a claim for CTS.

On February 18, 2022 appellant advised the employing establishment that he was still having issues with his hands and wrists that were causing difficulties performing his work duties. It informed him that he could request to have his October 21, 2021 employment injury expanded to include a consequential injury or file a new claim for CTS.

On February 24, 2022 the employing establishment offered appellant a light-duty position to accommodate the work restrictions from his accepted October 21, 2021 injury, as well as his complaint of ongoing hand and wrist pain.

By decision dated May 20, 2022, OWCP denied appellant's claim, finding that he had not submitted sufficient evidence to establish that the claimed events occurred as alleged. Consequently, it found that appellant had not met the requirements to establish an injury as defined by FECA.

On June 21, 2022 appellant requested reconsideration of the May 20, 2022 decision and submitted additional evidence.

By decision dated September 14, 2022, OWCP denied appellant's request for reconsideration of the merits of his claim under 5 U.S.C. § 8128(a).

On September 27, 2022 appellant again requested reconsideration of the May 20, 2022 decision and submitted additional evidence.

By decision dated September 29, 2022, OWCP denied appellant's request for reconsideration.

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.³ 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.⁴ Herein, appellant has a

³ Federal (FECA) Procedure Manual, Part 2 -- Claims, *File Maintenance and Management*, Chapter 2.400.8c (February 2000).

⁴ *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).

previously-accepted traumatic injury claim for a sprain of the right wrist and right ring finger joint under OWCP File No. xxxxxx253. He subsequently filed an occupational disease claim for CTS which was assigned OWCP File No. xxxxxx658, the claim presently before the Board. Thus, for a full and fair adjudication, this case must be returned to OWCP to administratively combine the current case record with OWCP File No. xxxxxx253, so that it can consider all relevant claim files and accompanying evidence in adjudicating the present claim.⁵

Following this and other such further development as deemed necessary, OWCP shall issue a *de novo* decision.

IT IS HEREBY ORDERED THAT the May 20 and September 14 and 29, 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: March 7, 2023
Washington, DC

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

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

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

⁵ *Supra* note 3 at Chapter 2.400.8c(1); *W.D.*, Docket No. 19-0961 (issued March 31, 2021); *L.P.*, Docket Nos. 18-1558, 18-1568 (issued June 21, 2019).