

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

S.J., Appellant)	
)	
and)	Docket No. 25-0574
)	Issued: August 7, 2025
U.S. POSTAL SERVICE, BROOKLYN SOUTH POST OFFICE, Baltimore, MD, Employer)	
)	
)	

Appearances:

Appellant, pro se

Office of Solicitor, for the Director

Case Submitted on the Record

ORDER REMANDING CASE

Before:

PATRICIA H. FITZGERALD, Deputy Chief Judge
JANICE B. ASKIN, Judge
VALERIE D. EVANS-HARRELL, Alternate Judge

On May 6, 2025 appellant filed a timely appeal from an April 15, 2025 merit decision of the Office of Workers' Compensation Programs (OWCP).¹ The Clerk of the Appellate Boards assigned the appeal Docket No. 25-0574.

On January 28, 2025 appellant, then a 49-year-old city carrier, filed a traumatic injury claim (Form CA-1) alleging that on January 7, 2025 she sustained injuries to her wrists, left thumb, right elbow, knees, back, and buttocks when she stepped out of her postal vehicle and slipped and fell on black ice while in the performance of duty. She stopped work on January 11, 2025. OWCP accepted the claim for left wrist sprain and lumbar strain.

On March 11, 2025 appellant filed a claim for compensation (Form CA-7) for disability from work during the period February 24 through March 3, 2025. She submitted medical evidence in support of her claim.

¹ The Board notes that following the April 15, 2025 decision, appellant submitted additional evidence to OWCP. However, the Board's *Rules of Procedure* provides: "The Board's review of a case is limited to the evidence in the case record that was before OWCP at the time of its final decision. Evidence not before OWCP will not be considered by the Board for the first time on appeal." 20 C.F.R. § 501.2(c)(1). Thus, the Board is precluded from reviewing this additional evidence for the first time on appeal. *Id.*

In a development letter dated March 13, 2025, OWCP informed appellant of the deficiencies of her claim for wage-loss compensation for disability from work commencing February 24, 2025. It advised her of the type of medical evidence needed to establish her claim and afforded her 30 days to respond.

Appellant subsequently submitted additional evidence, including a January 10, 2025 report, received on April 14, 2025, wherein Dr. Naveed Mughal, a Board-certified pediatrician, related appellant's history of injury on January 7, 2025. Dr. Mughal diagnosed right wrist sprain, initial encounter; left wrist sprain, initial encounter; contusion of the right knee, initial encounter; contusion of the left knee, initial encounter; contusion of the right elbow, initial encounter; fall from slip, trip, or stumble, initial encounter; and acute bilateral low back pain without sciatica.

By decision dated April 15, 2025, OWCP denied appellant's disability claim, finding that the medical evidence of record was insufficient to establish disability from work during the claimed period causally related to her accepted January 7, 2025 employment injury. OWCP noted that it had only received evidence from a physician assistant.

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

In the case of *William A. Couch*,² the Board held that, when adjudicating a claim, OWCP is obligated to review all evidence properly submitted by a claimant and received by OWCP before the final decision is issued. While OWCP is not required to list every piece of evidence submitted, the January 10, 2025 report by Dr. Mughal, received by OWCP on April 14, 2025, was not considered and addressed by OWCP in its April 15, 2025 decision.³ As it did not consider or address this medical evidence of record, it failed to follow its own procedures by not considering all medical reports of record.⁴

As the Board's decisions are final as to the subject matter appealed, it is crucial that OWCP review all evidence received prior to the issuance of its final decision.⁵ The case shall therefore be remanded for OWCP to consider and address all evidence of record. Following any further development deemed necessary, it shall issue a *de novo* decision. Accordingly,

² 41 ECAB 548 (1990); *see also* R.D., Docket No. 17-1818 (issued April 3, 2018).

³ *Order Remanding Case, A.H.*, Docket No. 25-0169 (issued January 2, 2025); *Order Remanding Case, W.W.*, Docket No. 21-1432 (issued February 23, 2023); *Order Remanding Case, J.N.*, Docket No. 21-0086 (issued May 17, 2021); *Order Remanding Case, C.D.*, Docket No. 20-0168 (issued March 5, 2020).

⁴ *Order Remanding Case, G.A.*, Docket No. 21-0862 (issued June 8, 2022); *E.P.*, Docket No. 20-0655 (issued March 17, 2021).

⁵ *See Order Remanding Case, C.S.*, Docket No. 18-1760 (issued November 25, 2019); *Yvette N. Davis*, 55 ECAB 475 (2004); *see also* *William A. Couch*, *supra* note 3.

IT IS HEREBY ORDERED THAT the April 15, 2025 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: August 7, 2025
Washington, DC

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

Janice B. Askin, Judge
Employees' Compensation Appeals Board

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