United States Department of Labor
Employees' Compensation Appeals Board

C.C., Appellant	)	
and	)	**Docket No. 25-0734**
	)	**Issued: December 30, 2025**
U.S. POSTAL SERVICE, DETROIT POST OFFICE, Detroit, MI, Employer	)	

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

Case Submitted on the Record

DECISION AND ORDER

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

JURISDICTION

On July 28, 2025 appellant filed a timely appeal from a July 24, 2025 merit decision of the Office of Workers' Compensation Programs (OWCP). Pursuant to the Federal Employees' Compensation Act[1] (FECA) and 20 C.F.R. §§ 501.2(c) and 501.3, the Board has jurisdiction over the merits of this case.

ISSUE

The issue is whether appellant has met her burden of proof to establish an emotional/stress-related condition in the performance of duty, as alleged.

FACTUAL HISTORY

On February 13, 2025 appellant, then a 45-year-old mail and file clerk, filed an occupational disease claim (Form CA-2) alleging that she sustained an emotional/stress-related condition in the form of "mental stress" due to working in a hostile work environment with

[1] 5 U.S.C. § 8101 *et seq.*

intimidation and constant bullying. She asserted that she worked with a supervisor who made a false statement about her that caused her mental stress. Appellant indicated that she first became aware of her claimed condition on January 1, 2017, and first realized its relation to her federal employment on January 9, 2025. She stopped work on October 18, 2024.

In a February 13, 2025 statement, appellant advised that she was diagnosed with bipolar disease in 2017 and that her illness started to become more severe in October 2023. She reported that she worked eight hours per day, five days per week, and began to have panic attacks at work. Appellant alleged that N.M., her immediate supervisor, had triggered her illness throughout the years by exposing her to constant bullying, threats, harassment, and intimidation, and by creating a hostile work environment. She claimed that N.M. made fun of her illness in front of coworkers and shared her medical information with coworkers. Appellant advised that she filed Equal Employment Opportunity (EEO) and Occupational Safety and Health Administration (OSHA) complaints regarding several matters and that she won her EEO complaint "for retaliation." She asserted that N.M. made a false statement by alleging she threatened her and that N.M. improperly had her removed from the employing establishment for a year. Appellant claimed that the fact she got her job back made N.M. attack her even more by continuously writing her up "for any and everything." She indicated that she was forced to work with N.M. after her return to work and asserted that working with her caused her to feel overwhelmed and to experience panic attacks on a daily basis. Appellant believed that N.M.'s goal was to have her fired and she felt like she was on her "last chance" and would be permanently removed if she was written up one more time.

Appellant submitted medical evidence in support of her claim, including a January 9, 2025 work capacity evaluation (Form OWCP-5c) by Dr. Rakesh Amin, a Board-certified psychiatrist. Dr. Amin reported that appellant had a bipolar disorder with accompanying symptoms of irritability, insomnia, panic attacks, distractibility, and impulsivity. He indicated that appellant's work environment was "triggering her condition to worsen" and opined that she was totally disabled. In a February 3, 2025 Form OWCP-5c, Elizabeth K. Martin, a physician assistant, provided similar findings regarding appellant's condition and disability.

In a February 24, 2025 development letter, OWCP notified appellant of the deficiencies of her claim. It advised her of the type of evidence needed and provided a questionnaire for her completion. OWCP afforded appellant 60 days to respond. In a separate development letter of even date, it requested that the employing establishment provide comments from a knowledgeable supervisor regarding appellant's allegations. OWCP afforded the employing establishment 30 days to respond.

In a March 26, 2025 statement, N.M. indicated that the employing establishment did not concur with appellant's allegations. She maintained that she was not aware of any aspect of appellant's job that was stressful and advised that appellant was not given overtime work due to her medical restrictions. N.M. indicated that appellant was put on emergency placement off-duty status because appellant threatened her. She explained that she asked appellant to return to her mail case to continue preparing her mail for delivery and she had to make the request several times due to her failure to respond. N.M. asserted that appellant then became upset, called her a "B", and stated she would "drag [her] across the workroom floor." N.M. reported that she has had limited contact with appellant since her return to work, and that she has mainly been

supervised by P.L. since then. She noted that appellant had been able to perform her required duties, but stated that she had conduct issues relating to attendance and the above-described threat.

Appellant submitted a March 31, 2025 document in response to the February 24, 2025 development letter. She alleged that she was wrongfully terminated from the employing establishment for a full year and was not compensated after reinstatement. Appellant claimed that N.M. called her "retardant" in front of her coworkers and advised that two coworkers, D.P. and L.P., had signed statements detailing what they heard. She also claimed that N.M. stated to her in front of coworkers that she needed to take her medication and advised that L.P. had signed a statement attesting to what she heard. Appellant indicated that, after she returned from her removal from work, her prior long-life vehicle (LLV) was replaced with a much smaller LLV which gave off a lot of fumes and did not have working heat. She reported that it was difficult to get organized in this vehicle given the high volume of packages she had to deliver, and asserted that management was aware that this circumstance would trigger her anxiety and obsessive-compulsive disorder. Appellant advised that, over the course of several months during fall and winter, she told management about her breathing problems due to her exposure to cold weather/fumes when driving the smaller LLV on a daily basis for months, and about the fact that she suffered anxiety and asthma attacks. She indicated that the employing establishment did not resolve the matter and advised that she also put in a complaint with OSHA. Appellant reported that, while she was delivering mail, she experienced chest pain and breathing problems and was rushed to the hospital for emergency care. She advised that the hospital told her that she had experienced an asthma attack and carbon monoxide poisoning. Appellant claimed that the employing establishment was aware of her asthma and continued to require her to use the smaller LLV out of spite and to punish her for getting her job back after removal. She advised that OSHA contacted management and demanded that the LLV be replaced within five business days. Appellant generally alleged that the employing establishment subjected her to harassment, bullying, and discrimination, and created a hostile work environment.

Appellant submitted an October 19, 2022 disciplinary action putting her on emergency placement off-duty status for threatening violence against N.M. on October 18, 2022; a March 7, 2023 notice of removal for threatening violence against N.M. on October 18, 2022; an October 25, 2022 notice to appellant of an investigative interview by the employing establishment; carrier auxiliary control forms (Form 3996), dated between December 12, 2023 and March 7, 2024, in which appellant cited heavy mail volume and her use of an LLV as reasons for needing auxiliary assistance; a January 8, 2024 request for or notification of absence (Form 3971); a January 18, 2024 statement in which appellant claimed that on January 17, 2024 management refused her request for training regarding carrying mail in very cold temperatures/snow; a March 19, 2024 final grievance settlement agreement, which was made without prejudice to the employing establishment, changing appellant's work status on February 10, 2024 from absent without leave (AWOL) to leave without pay (LWOP).

Appellant also submitted documents from a 2023 EEO complaint, including a February 20, 2023 EEO affidavit in which she alleged that on May 23, 2022 N.M. asked her if she had taken her medication in a joking manner, and that on June 27, 2022 N.M. called her retarded and asked her if she had taken her medication. In the affidavit, appellant also alleged

that N.M. extended both her middle fingers at her and threatened violence against her on October 18, 2022.[2]

The case record also contains the seventh page of an undated investigative summary which detailed appellant's claims, including that on May 23 and June 27, 2002 N.M. called her retarded and told her to take her medication while coworkers were present, and that on October 18, 2022 N.M. yelled at her, called her names, and threatened to physically assault her.

In a March 18, 2024 statement, a witness with an illegible signature indicated that, prior to some point in 2022, she saw or heard management "messing" with appellant, flirting with her boyfriend, and singling her out regarding the time she spent delivering mail. The individual asserted that "Mrs. [W.]" spoke to appellant in a disrespectful manner, including telling her that she had a bad attitude.

In a statement dated May 21, 2024, L.P., a coworker, indicated that, before appellant was removed from the workplace and put on emergency placement status, she witnessed N.M. call her retarded and tell her that she needed to take her medicine. She noted that she worked next to appellant at a stand-up desk and maintained that N.M. would say negative things to appellant. In an undated statement with an illegible signature, a witness stated, "I have heard [N.M.] make statements to [appellant] regarding her disability. I witnessed [N.M.] say to [appellant] that she was retarded and asked her if she took her medication in a matter [sic] of belittling her or making fun of her. I have witnessed her be taunted, mocked, and harassed on a constant basis."

Appellant submitted an undated statement created by a witness who signed the document, "Anonymous." The individual noted, "I'm also aware of [N.M.] told [appellant] she was retarded and asked her did she take her medication?" In a statement dated August 13, 2023, C.G., a coworker, attested to appellant's work capabilities, indicating that he had worked with her for five years.

Appellant also submitted an undated statement containing 12 signatures, most of which were illegible. All the signatures appeared below the following statement: "On October 18, 2022 I observed [N.M.] yelling at [appellant] and call her derogatory names and threaten to physically assault her. I have also witnessed [appellant] being harassed on a regular basis and treated with despaired [sic] treatment. I have never heard [appellant] threaten [N.M.] or anyone."

In an August 22, 2024 settlement agreement form, it was agreed that a notice of removal would be modified to a last chance settlement agreement for a period of one year. It was noted that the agreement settled the outstanding grievance of the notice of removal. The case record also contains the first page of a September 3, 2024 last chance settlement agreement, made without prejudice to any party, in which it was found that a notice of removal was issued to

[2] The case record also contains the first page of a January 9, 2023 letter advising appellant of the processing of her EEO complaint. It was noted that appellant was alleging discrimination based on mental/physical disability related to an interaction she had with N.M. Although this document indicates that the interaction with N.M. occurred on October 19, 2022, appellant generally claimed that it occurred on October 18, 2022. In several pages from other documents it was noted that appellant claimed that on January 18, 2022 N.M. extended her middle fingers towards her and threatened her with physical violence.

appellant with just cause but that the notice of removal would be modified to a long-term suspension. The agreement stipulated that appellant would withdraw her EEO complaint.

Appellant also submitted additional medical documents, including a February 22, 2023 report by Dr. Aaron N. Neely, a Board-certified family medicine physician, and several notes by Ms. Martin from 2024 and 2025.

On April 16, 2025 OWCP received an undated statement in which appellant asserted that N.M. had bullied, harassed, and intimidated her since 2021. Appellant alleged that N.M. spoke to her in a negative and derogatory manner, and maintained that N.M. called her "retardant" and asked her if she took her medication in front of coworkers. Appellant asserted that N.M. wrongly claimed that she threatened to drag her across the floor and called her a "bitch" and a "hoe" during an argument they had on the workroom floor on October 18, 2022. She noted that she submitted a witness statement signed by coworkers who indicated that N.M.'s claim was untrue. Appellant claimed that N.M. threatened her and called her a "bitch" on October 18, 2022. She asserted that N.M.'s behavior towards her became worse after she returned to work in October 2023, noting that N.M. would not give her extra time to complete her mail delivery route despite the fact that she handled a high volume of election-related mail. Appellant advised that she apologized to N.M. for her part in their argument, but N.M. never apologized to her. She claimed that N.M.'s constant harassment caused her to begin having panic attacks and asserted that, despite providing documentation of her panic attacks to management, no accommodations were made, and she had to "work through the attacks." Appellant indicated that she was subjected to discriminatory treatment by N.M., including occasions when N.M. refused to give her extra time on her mail delivery route but gave such extra time to coworkers. She asserted that N.M. would write her up or call for an investigative interview if she came back late from her mail delivery route but would did not do the same to her coworkers if they came back late. Appellant noted that stress from harassment, bullying, and intimidation has worsened her bipolar condition, which was initially diagnosed in 2017.

On June 10, 2025 OWCP requested additional information from the employing establishment, including information from a knowledgeable supervisor regarding whether N.M. called appellant "retarded, made fun of and belittled her."

In a July 10, 2025 statement, N.M. indicated that appellant started working for the employing establishment on October 13, 2019, and transferred from another post office to her current post office on December 5, 2020. She claimed that appellant transferred to her current workplace because she was having issues at her previous one. N.M. asserted that appellant's accusations regarding her were false, noting that arbitration and EEO proceedings concerning these accusations had taken place but that "nothing has been proven" by appellant. She indicated that she was not aware of any additional statements appellant provided from witnesses, but maintained that if these statements existed, they could be from her close friends at work and that they were not provided during the arbitration or EEO proceedings. N.M. advised that appellant was put on emergency placement off-duty status on October 19, 2022 for engaging in threatening conduct towards her. She indicated that appellant made several complaints against her and a previous manager at her current workplace and advised that appellant was off work for one year until arbitration proceedings took place. Appellant reported back to work without back pay and was put on a long-term suspension which was in her file until February 2025. N.M. indicated

that appellant had been put up for removal again due to attendance issues. She noted that appellant filed EEO complaints but indicated that the employing establishment did not concur with her allegations. N.M. maintained that appellant had issues with following management instructions and at times came into the workplace early with complaints against managers and coworkers she did not like.

On July 10, 2023 OWCP received a November 9, 2022 "Step B" decision signed representatives of the employing establishment and the National Association of Letter Carriers (NALC). The decision indicated that the dispute resolution team had declared an impasse in its discussion of appellant's grievance regarding the employing establishment's putting her on emergency placement off-duty status on October 19, 2022.

On July 10, 2025 OWCP also received an October 5, 2023 decision by a labor arbitrator finding that a grievance filed by NALC to challenge the emergency placement off-duty status of appellant was denied as the employing establishment had just cause to put appellant in emergency placement off-duty status on October 19, 2022. It was further found that the grievance filed on behalf of appellant in response to the notice of removal for conduct unbecoming a postal employee[3] was sustained in part and denied in part. It was determined that although there was just cause to issue the notice of removal, the corrective discipline for appellant was a long-term suspension following by reinstating appellant to her position, without back pay, "to provide her the opportunity to demonstrate that she can comport herself within the norms expected of the workplace." Although the decision noted appellant's claim that N.M. made mocking gestures and "flipped her off" on October 18, 2022, the decision did not provide any finding on this particular claim. The decision indicated that it was alleged that on October 18, 2022 appellant used profane language towards N.M. and threatened to drag her across the floor. In the "decision and findings" section, the decision noted, "Here, there clearly was a verbal altercation that occurred on the day in question. Profanity was used and threats were made by [appellant]."

OWCP also received a February 28, 2023 notice of removal for conduct unbecoming a postal employee. The notice indicated that on October 18, 2022 appellant called N.M. derogatory names and threatened to assault her. It indicated that witnesses overheard appellant telling N.M. that she would "drag her across the floor." In addition, OWCP received another copy of the previously received August 22, 2024 settlement agreement form. This copy contained an additional page in which it was indicated that labor relations would provide a training course for the parties to complete. OWCP also received carrier auxiliary forms, dated November 20, 2023, and April 22, 2024, in which appellant requested auxiliary assistance.

By decision dated July 24, 2025, OWCP denied appellant's claim for a work-related emotional/stress-related condition, finding that she did not establish any compensable employment factors. Thus, the claimed condition was not sustained in the performance of duty.

[3] The decision noted that the notice of removal was initially issued on February 28, 2023 but was modified and reissued on March 7, 2023.

LEGAL PRECEDENT

An employee seeking benefits under FECA[4] has the burden of proof to establish the essential elements of his or her claim, including the fact that the individual is an employee of the United States within the meaning of FECA, that the claim was filed within the applicable time limitation, that an injury was sustained while in the performance of duty as alleged, and that any disability or specific condition for which compensation is claimed is causally related to the employment injury.[5] These are the essential elements of each and every compensation claim regardless of whether the claim is predicated on a traumatic injury or an occupational disease.[6]

To establish an emotional condition in the performance of duty, a claimant must submit: (1) factual evidence identifying an employment factor or incident alleged to have caused or contributed to his or her claimed emotional condition; (2) medical evidence establishing that he or she has a diagnosed emotional or psychiatric disorder; and (3) rationalized medical opinion evidence establishing that the accepted compensable employment factors are causally related to the diagnosed emotional condition.[7]

Workers' compensation law does not apply to each and every injury or illness that is somehow related to an employee's employment. There are situations where an injury or an illness has some connection with the employment but nevertheless does not come within the concept or coverage of workers' compensation. Where the disability results from an employee's emotional reaction to his or her regular or specially assigned duties or to a requirement imposed by the employment, the disability comes within the coverage of FECA.[8] On the other hand, the disability is not covered where it results from such factors as an employee's fear of a reduction in force or his or her frustration from not being permitted to work in a particular environment or to hold a particular position.[9]

Administrative and personnel matters, although generally related to the employee's employment, are administrative functions of the employer rather than the regular or specially assigned work duties of the employee and are not covered under FECA.[10] Where, however, the evidence demonstrates that the employing establishment either erred or acted abusively in

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[4] 5 U.S.C. § 8101 *et seq*.

[5] *A.J.,* Docket No. 18-1116 (issued January 23, 2019); *Gary J. Watling,* 52 ECAB 278 (2001).

[6] 20 C.F.R. § 10.115(e); *M.K.*, Docket No. 18-1623 (issued April 10, 2019); *see T.O.,* Docket No. 18-1012 (issued October 29, 2018); *see Michael E. Smith,* 50 ECAB 313 (1999).

[7] *See S.K.,* Docket No. 18-1648 (issued March 14, 2019); *M.C.,* Docket No. 14-1456 (issued December 24, 2014); *Debbie J. Hobbs*, 43 ECAB 135 (1991); *Donna Faye Cardwell*, 41 ECAB 730 (1990).

[8] *Lillian Cutler*, 28 ECAB 125 (1976).

[9] *A.E.,* Docket No. 18-1587 (issued March 13, 2019); *Gregorio E. Conde*, 52 ECAB 410 (2001).

[10] *See R.M.,* Docket No. 19-1088 (issued November 17, 2020); *Thomas D. McEuen,* 41 ECAB 387 (1990); *reaff'd on recon.,* 42 ECAB 556 (1991).

discharging its administrative or personnel responsibilities, such action will be considered a compensable employment factor.[11]

For harassment or discrimination to give rise to a compensable disability under FECA, there must be probative and reliable evidence that harassment or discrimination did in fact occur.[12] Mere perceptions of harassment are not compensable under FECA.[13]

ANALYSIS

The Board finds that this case is not in posture for decision.

As appellant alleged that she sustained a work-related emotional/stress-related condition, the Board must initially determine whether she has established a compensable employment factor under FECA. Her allegations do not relate to her regular or specially assigned duties pursuant to *Lillian Cutler*.[14] Rather, appellant has alleged that the employing establishment committed error and abuse with respect to administrative/personnel matters and that it subjected her to harassment and discrimination.

Appellant claimed that the employing establishment committed wrongdoing in connection with administrative and personnel matters, including the issuance of disciplinary actions, the handling of leave and training requests, and the management of work conditions.

With respect to disciplinary actions, appellant alleged that the employing establishment improperly put her on emergency placement off-duty status on October 19, 2022, and that she was wrongfully terminated from the employing establishment for a full year and was not compensated after reinstatement. However, the Board finds that she has not established error or abuse in connection with these actions. The case record contains agreements settling a grievance appellant filed in connection with these matters which demonstrate that the employing establishment had just cause to put her on emergency placement off-duty status and suspended her employment for a year without back pay. Although appellant was later reinstated to work, the settlement agreements did not contain a finding that the employing establishment committed error or abuse in keeping her off work.

With respect to leave matters, the case record contains a March 19, 2024 final grievance settlement agreement changing appellant's work status on February 10, 2024 from AWOL to LWOP status. However, the settlement agreement clearly indicates that it was made without prejudice to the employing establishment. The case record also contains a January 18, 2024 statement in which appellant claimed that on January 17, 2024 management improperly refused her request for training regarding carrying mail in very cold temperatures/snow. However,

[11] *L.R.,* Docket No. 23-0925 (issued June 20, 2024); *M.A.,* Docket No. 19-1017 (issued December 4, 2019).

[12] *See E.G.,* Docket No. 20-1029 (issued March 18, 2022); *S.L.,* Docket No. 19-0387 (issued October 1, 2019); *S.B.,* Docket No. 18-1113 (issued February 21, 2019).

[13] *Id.*

[14] *See Lillian Cutler, supra* note 8.

appellant did not submit any evidence that the employing establishment committed error or abuse with respect to training matters.

Appellant claimed that, after she returned from her removal from work, her prior LLV was replaced with a much smaller LLV which gave off a lot of fumes and did not have working heat. She advised that, over the course of several months during fall and winter, she notified management about her breathing problems due to her exposure to cold weather/fumes when driving the smaller LLV, and about the fact that she suffered anxiety and asthma attacks. Appellant claimed that the employing establishment did not resolve the matter. She has not submitted evidence demonstrating that the employing establishment committed wrongdoing by assigning her this LLV or that it wrongly ignored her alleged problems with the vehicle. Appellant claimed she put in a complaint with OSHA and that OSHA contacted management and demanded that the LLV be replaced within five business days. However, she did not submit evidence supporting this claim.

Although appellant expressed dissatisfaction with the actions of managers, the Board has held that mere dislike or disagreement with certain supervisory actions will not be compensable absent error or abuse on the part of the supervisor.[15] Appellant has not substantiated error or abuse committed by the employing establishment in the above-noted matters and, therefore, she has not established a compensable employment factor with respect to administrative or personnel matters.

Appellant also alleged harassment and discrimination by management. She asserted that she was subjected to discriminatory treatment by her supervisor N.M., including occasions when N.M. refused to give her extra time on her mail delivery route but gave such extra time to coworkers. Appellant also asserted that N.M. harassed her by writing her up or calling for an investigative interview if she came back late from her mail delivery route but did not do the same to her coworkers if they came back late. The Board finds that appellant has not submitted evidence demonstrating that N.M. subjected her to harassment or discrimination in this regard. Appellant made general claims that N.M. exposed her to constant bullying, threats, harassment and intimidation, and created a hostile work environment. However, her claims of harassment and discrimination regarding these matters are vague in nature and she did not submit findings of a grievance or complaint finding such harassment or discrimination.

Appellant asserted that she was harassed because N.M. wrongly claimed that she threatened to drag her across the floor and called her a "bitch" and a "hoe" during an argument they had on the workroom floor on October 18, 2022. Rather, appellant claimed that N.M. threatened her and called her a "bitch" on October 18, 2022. The Board finds that appellant has not submitted evidence establishing these claims. Appellant submitted an undated statement containing 12 signatures, most of which were illegible, which appeared below a statement which indicated, "On October 18, 2022 I observed [N.M.] yelling at [appellant] and call her derogatory names and threaten to physically assault her." The Board finds that this statement is vague in nature and does not establish appellant's claim regarding N.M.'s alleged comments to her.[16]

[15] *T.C.,* Docket No. 16-0755 (issued December 13, 2016).

[16] *See generally T.G.,* Docket No. 19-1668 (issued December 7, 2020).

Appellant also has not established that N.M. harassed her by wrongly claiming that appellant threatened to drag her across the floor and called her derogatory names on October 18, 2022. The Board notes that the case record contains an arbitration decision indicating that it was alleged that on October 18, 2022 appellant used profane language towards N.M. and threatened to drag her across the floor. In the "decision and findings" section, the decision noted, "Here, there clearly was a verbal altercation that occurred on the day in question. Profanity was used and threats were made by [appellant]."

Appellant also claimed that N.M. committed harassment and discrimination by calling her retarded and asking her if she had taken her medication in front of her coworker.[17] The Board finds that the case record contains evidence demonstrating that N.M. committed harassment and discrimination in this regard. In a statement dated May 21, 2024, L.P., a coworker, indicated that, before appellant was removed from the workplace and put on emergency placement status, she witnessed N.M. call her retarded and tell her that she needed to take her medicine. In another statement with an illegible signature, an individual stated, "I have heard [N.M.] make statements to [appellant] regarding her disability. I witnessed [N.M.] say to [appellant] that she was retarded and asked her if she took her medication in a matter [sic] of belittling her or making fun of her.

In the present case, appellant has established a compensable factor of employment with respect to the above-noted harassing and discriminatory comments made by N.M. about her disability. However, her burden of proof is not discharged by the fact that she has established an employment factor which may give rise to a compensable disability under FECA. To establish his occupational disease claim for an emotional condition, appellant must also submit rationalized medical evidence establishing that she has an emotional or psychiatric disorder, and that such disorder is causally related to an accepted compensable employment factor.[18]

As OWCP found there were no compensable employment factors, the case must be remanded for an evaluation of the medical evidence with regard to the issue of causal relationship.[19] Following this and other such further development as deemed necessary, OWCP shall issue a *de novo*.

CONCLUSION

The Board finds that this case is not in posture for decision.

[17] In a February 20, 2023 EEO affidavit, appellant alleged that on May 23, 2022 N.M. asked her if she had taken her medication in a joking manner, and that on June 27, 2022 N.M. called her retarded and asked her if she had taken her medication.

[18] *See supra* note 7.

[19] *See M.D.,* Docket No. 15-1796 (issued September 7, 2016).

ORDER

IT IS HEREBY ORDERED THAT the July 24, 2025 decision of the Office of Workers' Compensation Programs is set aside, and the case is remanded for further proceedings consistent with this decision of the Board.

Issued: December 30, 2025
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