United States Department of Labor
Employees' Compensation Appeals Board

P.A., Appellant	)	
and	)	**Docket No. 25-0762**
	)	**Issued: December 9, 2025**
U.S. POSTAL SERVICE, U.S. POSTAL INSPECTION SERVICE, Houston, TX, 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 August 1, 2025 appellant filed a timely appeal from a March 11, 2025 merit decision of the Office of Workers' Compensation Programs (OWCP).[1] The Clerk of the Appellate Boards docketed the appeal as No. 25-0762.

On January 23, 2024 appellant, then a 53-year-old inspection service operations technician (ISOT), filed an occupational disease claim (Form CA-2) alleging that her chronic migraines, hypochromic microcytic anemia, lipedema, major depressive disorder and generalized anxiety disorder were caused or aggravated by factors of her employment. She alleged that it had become increasingly difficult for her to perform the duties of her position due to stress as well as her documented medical conditions, which were caused by prolonged exposure to work trauma.

[1] Appellant submitted a timely request for oral argument before the Board. 20 C.F.R. § 501.5(b). Pursuant to the Board's *Rules of Procedure*, oral argument may be held in the discretion of the Board. 20 C.F.R. § 501.5(a). In support of appellant's oral argument request, she asserted that oral argument should be granted because she provided ample documentation of her job injuries and that her date of injury began in July 2023, not August 29, 2018. The Board, in exercising its discretion, denies appellant's request for oral argument because the arguments on appeal can adequately be addressed in a decision based on a review of the case record. Oral argument in this appeal would further delay issuance of a Board decision and not serve a useful purpose. As such, the oral argument request is denied, and this decision is based on the case record as submitted to the Board.

Appellant noted repeated denials for reasonable accommodation since September 2021 and no potential reassignment. She noted that she first became aware of her conditions on August 29, 2018, and realized their relationship to her federal employment on September 9, 2021. Appellant stopped work on January 22, 2024.

In a statement accompanying her claim, appellant described her medical conditions and asserted that newly added duties, changes in schedules, unsupportive management and a harmful work environment exacerbated and contributed to the decline of her physical and mental health. She alleged in late August 2021 management added a new task of answering a division-wide law enforcement hotline, which served, in part, as an emergent contact for USPS employees. Appellant indicated that the hotline duties were known to cause her stress and exacerbate her disability, the hotline callers were verbally aggressive, yelled, used foul language and/or used insulting verbiage, and multiple calls came in at the same time for extended periods of time. She alleged that the hotline duty overwhelmed her and triggered or aggravated her chronic migraine condition, caused her to emotionally shut down, become physically sick and/or unable to function due to the stress associated with that duty, noting a stressful hotline call received on January 11, 2024 at 12:25 p.m. Appellant alleged that management continued to force the hotline duty on her without compassion or relief despite knowing its effects on her, the hotline duty was not a routine secretarial task or part of her official job description, and training, such as de-escalation, emergency management or conflict resolution, was not provided. She alleged that in July 2023, management increased the hotline duty in her daily schedule and that she filed an Equal Employment Opportunity Commission (EEOC) claim. Appellant also indicated that on December 14, 2023, her request for reasonable accommodation was denied, which she alleged was based on inaccurate and misleading information provided by management. She additionally alleged that management had subjected her to discrimination due to disability and had targeted her by assigning increased scheduling, abrupt schedule changes, specific time slot assignments in the hotline duty. Appellant also alleged that she worked in a confined and harmful environment, which smelled of marijuana and lacked windows, proper ventilation or an air purification system. She submitted a position description for an ISOT. Appellant also submitted medical evidence in support of her claim.

In a June 11, 2024 letter, A.B., Headquarters Field Operations Support Specialist, responded that while appellant claimed a new job duty was added to her job assignment, all 5 employees with her same job title performed this duty. A.B. also denied that appellant's job could be viewed as stressful, that appellant was assigned a detrimental work factor, or that an extra demand had been placed on appellant's workload. She indicated that 90 percent of the hotline calls were not emergent and needed to be redirected. A.B. further noted that appellant had refused the accommodations offered.

In a January 4, 2025 letter, D.C., appellant's supervisor and manager, provided a detailed response to appellant's allegations. She stated that the ISOTs and other administrative staff routinely answered the division-wide law enforcement hotline. D.C. stated that since July 2023 she published a monthly schedule of daily assignments to the hotline, noting that appellant was included in the schedule until January 2024, when she began an extended period of leave. She denied that any of the tasks required by hotline duty were new to appellant in July 2023, as she had been answering those types of calls on an "as needed" basis since 2020. D.C. described a typical assigned hotline duty shift and appellant's role on "hotline" calls, noting that appellant had almost 12 years of experience supporting law enforcement operations and should have been able

to respond appropriately to any calls, including the January 11, 2024 call. She stated that the majority of the hotline calls were not emergent in nature as the caller was typically referred to the relevant agency. D.C. disagreed with appellant's assertion that the hotline duty was performed for "extended periods of time," explaining that, as the scheduler, she distributed the duty equally among the employees that were available for duty that day. She indicated that, for the seven months of hotline duty in 2023, appellant ranged from 2 hours to, on rare occasions, 4.5 hours a day. D.C. acknowledged that while some of the callers may have yelled and/or used inappropriate language when speaking with appellant, such calls were not on a constant or unrelenting basis, noting that appellant herself had estimated that only about 10 percent of the calls she received were "horrendous" and that not every call stressed her out, only angry callers. She confirmed that while the hotline schedule could change abruptly, it was infrequent and was often due to an employee taking unscheduled leave, being sick, or an IT system outage, which was the case on August 16-25, 2023 in Alabama when the other ISOTs, including appellant, were notified that their hotline duty shifts would be longer due to the phone problems in Alabama. D.C. indicated that the abrupt changes to appellant's schedule did not occur often and that employees usually knew at least a day in advance regarding a change of schedule. She noted that appellant often took Family and Medical Leave Act (FMLA) leave shortly before her hotline duty was to begin, which caused abrupt changes to her coworker's schedules. D.C. further stated that her division uses an on-the-job training model and denied that additional training was needed for conflict resolution, but de-escalation training may have been helpful. She stated that appellant was competent in handling the hotline calls, denied any problems with her performance in handling the calls or in other parts of her job, and noted that appellant never had any disciplinary or corrective action warranted against her. D.C. discussed appellant's EEOC complaint and the administrative law judge's September 24, 2024 findings pertaining to appellant's allegations of retaliation in her prior EEOC claim and the reasonable accommodation process and the denial of appellant's reasonable accommodation, asserting that reasonable accommodation was properly denied as the hotline duty was an essential function of the ISOT position, which appellant had performed since early 2020. She denied that appellant's office "constantly" reeked of marijuana or that her work environment was confined or harmful. D.C. acknowledged that while the smell of marijuana may be strong on the days large quantities of cannabis were stored for evidence, appellant could walk or take breaks for fresh air for extended periods of time during the workday. She also noted that appellant had a private office space which afforded her several self-soothing options for her chronic conditions and that she could manage her time spent standing sitting, or walking. D.C. provided examples of how management was supportive of appellant, including informally accommodating appellant by splitting the total time of hotline duty when personnel shortages necessitated assignment of 4-4.5 hours on the same day. Copies of appellant's schedules from July 3, 2023 through January 31, 2024 and photographs of appellant's office were attached.

Evidence pertaining to appellant's RA request were also received, including an August 18, 2023 reasonable accommodation letter, in which L.W., Chair, HQ Reasonable Accommodation Committee (RAC), determined that since the requirement to take "hotline" phone calls was an essential administrative function of appellant's job it could not be removed as a reasonable accommodation. He also stated that on August 31, 2023 appellant had declined potential reasonable accommodation offered by the employing establishment, indicating that she did not want the responsibility of answering the division-wide enforcement hotline.

A copy of the September 24, 2024 EEOC order, in which the administrative law judge granted the employing establishment's motion for summary judgment regarding appellant's RA request.

By decision dated March 11, 2025, OWCP denied appellant's emotional/stress-related condition claim, finding that the evidence of record was insufficient to establish the factual component of fact of injury. It related that appellant had not established that the alleged incident occurred as alleged because she did not establish that the employing establishment acted negligently or erred by not accommodating her by removing the function of taking "hot calls." OWCP concluded, therefore, that the requirements had not been met to establish an injury as defined by FECA.

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

FECA provides that OWCP shall determine and make findings of fact in making an award for or against payment of compensation after considering the claim presented by the employee and after completing such investigation as it considers necessary with respect to the claim.[2] The reasoning behind OWCP's evaluation should be clear enough for the reader to understand the precise defect of the claim and the kind of evidence which would overcome it.[3]

OWCP, in denying appellant's claim, did not address whether appellant's allegations constituted compensable factors of employment. Thus, the Board finds that OWCP, in its March 11, 2025 merit decision, did not discharge its responsibility to set forth findings of fact and a clear statement of reasons explaining its disposition, so that appellant could understand the basis for the decision, as well as the precise defect and the evidence needed to overcome it.[4]

On remand OWCP shall make findings of fact as to whether the evidence of record establishes that any of appellant's allegations constitute compensable factors of employment.[5] Following this and other such further development as deemed necessary, OWCP shall issue a *de novo* decision.

[2] 5 U.S.C. § 8124(a)(2); 20 C.F.R. § 10.126.

[3] Federal (FECA) Procedure Manual, Part 2 -- Claims, *Disallowances*, Chapter 2.1400.5(c) (February 2013). *See also G.S.*, Docket No. 14-1933 (issued November 7, 2014).

[4] *X.F.,* Docket No. 22-0045 (issued April 14, 2023); *K.J.*, Docket No. 14-1874 (issued February 26, 2015); *see also J.J.*, Docket No. 11-1958 (issued June 27, 2012).

[5] *X.F., id.*; *A.R.*, Docket No. 11-1949 (issued April 16, 2012).

IT IS HEREBY ORDERED THAT the March 11, 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: December 9, 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
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