

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

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C.B., Appellant )  
and ) Docket No. 25-0823  
DEPARTMENT OF VETERANS AFFAIRS, )  
CLEMENT J. ZABLOCKI VA MEDICAL )  
CENTER, VETERANS HEALTH )  
ADMINISTRATION, Milwaukee, WI, Employer )  
Issued: December 18, 2025

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*Appearances:*

*Appellant, pro se*

*Office of Solicitor, for the Director*

*Case Submitted on the Record*

**ORDER REMANDING CASE**

Before:

ALEC J. KOROMILAS, Chief Judge

PATRICIA H. FITZGERALD, Deputy Chief Judge

VALERIE D. EVANS-HARRELL, Alternate Judge

On August 27, 2025 appellant filed a timely appeal from a May 7, 2025 merit decision and an August 20, 2025 nonmerit decision of the Office of Workers' Compensation Programs (OWCP). The Clerk of the Appellate Boards docketed the appeal as No. 25-0823.

On November 20, 2024 appellant, then a 35-year-old medical clerk (advanced), filed an occupational disease claim (Form CA-2) alleging that she developed bilateral carpal tunnel syndrome due to factors of her federal employment, including daily repetitive computer typing and data entry resulting in pain, burning, cramping, numbness, and pinching sensations in her hands and wrists. She noted that she first became aware of her condition and realized its relation to her federal employment on February 5, 2024.

Appellant submitted factual and medical evidence in support of her claim.

In a July 22, 2024 report, Dr. Steven Vander Naalt, a Board-certified surgeon, reported that he evaluated appellant for bilateral numbness, tingling, and pain in her hands, right worse than left, which had been ongoing for approximately three months. He diagnosed bilateral carpal tunnel syndrome and recommended nighttime splinting and gliding exercises.

In a December 4, 2024 report, Dr. Vander Naalt evaluated appellant for numbness and pain in the hands, noting that her employment involved excessive typing, resulting in the need to wear splints at night. He provided examination findings, diagnosed bilateral carpal tunnel syndrome, and recommended an electromyography (EMG) study for further evaluation. In a work note of even date, Dr. Vander Naalt reported that appellant underwent a medical evaluation on that date and was excused from work. He released her to work without restrictions but noted that she may need an additional 10 to 15 minutes of breaks if her symptoms were flaring.

By decision dated February 20, 2025, OWCP denied appellant's occupational disease claim, finding that the medical evidence of record was insufficient to establish causal relationship between the diagnosed condition and the accepted factors of her federal employment.

On April 29, 2025 appellant requested reconsideration. In support of her claim, she submitted an April 14, 2025 report and EMG study from Dr. Russo Frank, a Board-certified orthopedic surgeon.

On May 7, 2025 OWCP received an April 28, 2025 report from Dr. James R. Williams, a Board-certified orthopedic surgeon. Dr. Williams reported that appellant was a right-hand dominant female whose employment over the past four years entailed a lot of typing as a scheduling clerk, resulting in worsening symptoms at work. He provided examination findings, reviewed the bilateral upper extremity EMG study, and diagnosed bilateral carpal tunnel syndrome. Dr. Williams opined that appellant's work duties were at least aggravating her right carpal tunnel syndrome given that she did a lot of typing at work and experienced worsening symptoms, noting she engaged in no hobbies which would be a contributing factor.

By decision dated May 7, 2025, OWCP denied modification of the February 20, 2025 decision. It neither considered nor addressed the April 28, 2025 report of Dr. Williams.

On August 4, 2025 appellant requested reconsideration. In an accompanying statement, appellant asserted that OWCP failed to review Dr. Williams' April 28, 2025 report.

By decision dated August 20, 2025, OWCP denied appellant's request for reconsideration of the merits of her claim, pursuant to 5 U.S.C. § 8128(a).

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

In the case of *William A. Couch*,<sup>1</sup> the Board held that, when adjudicating a claim, OWCP is obligated to consider and address all evidence properly submitted by a claimant and received by OWCP before the final decision is issued.

In its May 7, 2025 decision, OWCP failed to consider Dr. Williams' April 28, 2025 report, received on that date. While it is not required to list every piece of evidence submitted OWCP

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<sup>1</sup> 41 ECAB 548 (1990); *see also Order Remanding Case, A.D.*, Docket No. 22-0519 (issued January 11, 2023); *A.B.*, Docket No. 22-0179 (issued June 28, 2022); *S.H.*, Docket No. 19-1582 (issued May 26, 2020); *R.D.*, Docket No. 17-1818 (issued April 3, 2018).

failed to follow its procedures by not considering all relevant medical reports of record.<sup>2</sup> This principle applies with regard to evidence received by OWCP the same day a final decision is issued.<sup>3</sup>

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

**IT IS HEREBY ORDERED THAT** the May 7, 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. The August 20, 2025 decision of the Office of Workers' Compensation Programs is set aside as moot.

Issued: December 18, 2025  
Washington, DC

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

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

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

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<sup>2</sup> *Order Remanding Case, S.T.*, Docket No. 23-0915 (issued January 8, 2024); *Order Remanding Case, G.A.*, Docket No. 21-0862 (issued June 8, 2022); *E.P.*, Docket No. 20-0655 (issued March 17, 2021). OWCP's procedures provide that all evidence submitted should be reviewed and discussed in the decision. Federal (FECA) Procedure Manual, Part 2 -- Claims, *Initial Denials*, Chapter 2.1401.5b(2) (November 2012).

<sup>3</sup> See *S.B.*, Docket No. 24-0774 (issued September 25, 2024); *Order Remanding Case, R.P.* Docket No. 23-0536 (issued October 3, 2023); *T.B.*, Docket No. 21-0448 (issued September 27, 2021); *Order Remanding Case, S.S.*, Docket No. 19-1737 (issued April 7, 2020); *Order Remanding Case, J.S.*, Docket No. 16-0505 (issued July 18, 2016); *Linda Johnson*, 45 ECAB 439 (1994) (evidence received the same day as the issuance of an OWCP decision must be reviewed).