

¹ In all cases in which a representative has been authorized in a matter before the Board, no claim for a fee for legal or other service performed on an appeal before the Board is valid unless approved by the Board. 20 C.F.R. § 501.9(e). No contract for a stipulated fee or on a contingent fee basis will be approved by the Board. *Id.* An attorney or representative's collection of a fee without the Board's approval may constitute a misdemeanor, subject to fine or imprisonment for up to one year or both. *Id.*; *see also* 18 U.S.C. § 292. Demands for payment of fees to a representative, prior to approval by the Board, may be reported to appropriate authorities for investigation.

filed.² Appellant noted that she first became aware of her condition and realized its relationship to her federal employment on September 9, 2019. She stopped work on September 9, 2019.

OWCP received medical evidence concerning the neck, back, and wrist conditions alleged in both of appellant's claims.

By decision dated November 20, 2019, OWCP denied appellant's claim under OWCP File No. xxxxxx015, finding that although appellant had established the implicated employment factors, she had not submitted medical evidence establishing a diagnosed condition in connection with the employment factors. It concluded, therefore, that the requirements had not been met to establish an injury as defined by FECA.

On November 20, 2020, appellant, through counsel, requested reconsideration and submitted additional medical evidence regarding the conditions alleged in both of appellant's claims.

By decision dated December 21, 2020, under OWCP File No. xxxxxx015, OWCP modified the November 20, 2019 decision to find that appellant had established diagnosed medical conditions. However, the claim remained denied as the medical evidence of record was insufficient to establish an injury causally related to the accepted employment factors.

Appellant, through counsel, subsequently submitted requests for reconsideration, along with additional medical evidence. By decisions dated March 21, 2022 and June 15, 2023, OWCP denied modification.

On June 15, 2024, appellant requested reconsideration. No additional evidence or argument was received. By decision dated June 18, 2024, 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.

OWCP's procedures provide that cases should be administratively combined when correct adjudication depends on frequent cross-referencing between files, including when similar conditions are claimed in such cases.³ This allows OWCP to consider all relevant claim files in developing a given claim.⁴ As appellant's claims under OWCP File Nos. xxxxxx015 and

² OWCP assigned the present claim OWCP File No. xxxxxx015. Appellant previously filed a Form CA-2 on October 3, 2019, under OWCP File No. xxxxxx648, alleging that she developed carpal tunnel syndrome due to factors of her federal employment, including repetitive typing. OWCP has not administratively combined appellant's claims.

³ *Order Remanding Case, B.M.*, Docket Nos. 23-0426, 23-0427, 23-0428 (issued September 20, 2023); *S.G.*, Docket No. 21-0396 (issued September 27, 2021); *R.L.*, Docket No. 20-0901 (issued July 27, 2021); *M.E.*, Docket No. 21-0094 (issued May 27, 2021); *L.M.*, Docket No. 19-1490 (issued January 29, 2020); *L.H.*, Docket No 18-1777 (issued July 2, 2019).

⁴ *Id.*

xxxxxx648 both allege injuries caused by the same or similar employment factors, including typing, these claims should be administratively combined for a full and fair adjudication.⁵

The case shall, therefore, be remanded for OWCP to administratively combine OWCP File Nos. xxxxxx015 and xxxxxx645 and consider whether OWCP File No. xxxxxx015 constitutes a duplicate claim. This will allow OWCP to avoid piecemeal adjudication of the issues in these cases and raise the possibility of inconsistent results. It is the Board's policy to avoid such an outcome.⁶ Following this and other such further development as deemed necessary, OWCP shall issue a *de novo* decision. Accordingly,

IT IS HEREBY ORDERED THAT the June 18, 2024 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: February 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

⁵ See *M.T.*, Docket No. 24-0753 (issued September 23, 2024); *Order Remanding Case, K.W.*, Docket No. 22-1258 (issued March 14, 2023).

⁶ See *Order Remanding Case*, Docket Nos. 25-0118 and 25-0119 (issued December 10, 2024); *Order Remanding Case, J.F.*, Docket No. 24-0402 (issued June 4, 2024); *M.S.*, Docket No. 13-1024 (issued January 14, 2014); *William T. McCracken*, 33 ECAB 1197 (1982).