

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

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<b>P.L., Appellant</b>	)	
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<b>and</b>	)	<b>Docket No. 25-0539</b>
	)	<b>Issued: July 21, 2025</b>
<b>U.S. POSTAL SERVICE, JACKSONVILLE POST OFFICE, Jacksonville, FL, Employer</b>	)	
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*Appearances:*

*Wayne Johnson, Esq.*, for the appellant<sup>1</sup>

*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 May 12, 2025 appellant filed a timely appeal from a November 13, 2024 merit decision of the Office of Workers' Compensation Programs (OWCP). The Clerk of the Appellate Boards assigned the appeal Docket No. 25-0539.

On May 3, 2021 appellant, then a 52-year-old health and resource management clerk, filed an occupational disease claim (Form CA-2) alleging that he developed bilateral carpal tunnel syndrome and nerve damage in his hands due to factors of his federal employment, including the repetitive lifting of trays, handling and processing mail, and clearing machines. He noted that he first became aware of his condition and realized its relation to his federal employment on April 6, 2021. OWCP assigned the present claim OWCP File No. xxxxxx696.

The record reflects that appellant had previously filed a Form CA-2 on May 20, 2021 for injuries sustained to his lower back due to factors of his federal employment involving repetitive

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<sup>1</sup> 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.

lifting, pulling, and twisting. OWCP assigned that claim OWCP File No. xxxxxx483 and accepted it for temporary aggravation of intervertebral disc disorders of the lumbar region; temporary aggravation of spinal stenosis of the lumbar region; and cervical disc displacement, unspecified cervical region.

In the present claim, by decision dated August 3, 2021, 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 his federal employment.

On August 4, 2022 appellant, through counsel, requested reconsideration and submitted additional evidence in support of his claim.

By decision dated October 28, 2022, OWCP denied modification of the August 3, 2021 decision.

On October 28, 2023 appellant, through counsel, requested reconsideration and submitted additional evidence.

By decision dated October 31, 2023, OWCP denied modification of the October 28, 2022 decision. It noted that appellant had previously filed a claim for cervical and lumbar conditions under OWCP File No. xxxxxx483 and therefore, evidence submitted related to those conditions would not be considered in his claim under OWCP File No. xxxxxx696, which was for bilateral upper extremities only.

On October 31, 2024 appellant, through counsel, requested reconsideration.

By decision dated November 13, 2024, OWCP denied modification of the October 31, 2023 decision.

The Board, having duly considered this matter, finds that this case is not in posture for decision.<sup>2</sup> OWCP's procedures provide that cases should be administratively combined when correct adjudication of the issues depends on frequent cross-referencing between files.<sup>3</sup> For example, if a new injury claim is reported for an employee who previously filed an injury claim for a similar condition of the same region of the body, doubling is required.<sup>4</sup>

As appellant's claims both involve the same region of the body, for a full and fair adjudication, this case must be remanded to OWCP to administratively combine the current case

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<sup>2</sup> *Order Remanding Case, S.R.*, Docket No. 22-0665 (issued January 15, 2025); *Order Remanding Case, P.P.*, Docket No. 25-0118 (issued December 10, 2024); *Order Remanding Case, M.T.*, Docket No. 24-0753 (issued September 23, 2024); *Order Remanding Case, J.L.*, Docket No. 21-0958 (issued April 26, 2023).

<sup>3</sup> Federal (FECA) Procedure Manual, Part 2 -- Claims, *File Maintenance and Management*, Chapter 2.400.8c (February 2000).

<sup>4</sup> *Id.*; *Order Remanding Case, H.B.*, Docket No. 20-1298 (issued November 22, 2021); *Order Remanding Case, S.G.*, Docket No. 21-0396 (issued September 27, 2021).

record, OWCP File Nos. xxxxxxx696, with OWCP File No. xxxxxxx483.<sup>5</sup> This will allow OWCP to consider all relevant reports and accompanying evidence in developing the current claim.<sup>6</sup>

On remand, OWCP shall administratively combine the above-noted claim files.<sup>7</sup> Following this and other such further development as deemed necessary, OWCP shall issue a *de novo* decision.<sup>8</sup> Accordingly,

**IT IS HEREBY ORDERED THAT** the November 13, 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: July 21, 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>5</sup> *Order Remanding Case, K.W.*, Docket No. 22-1258 (issued March 14, 2023).

<sup>6</sup> *Order Remanding Case, L.M.*, Docket No. 19-1490 (issued January 29, 2020).

<sup>7</sup> *Order Remanding Case, J.W.*, Docket No. 22-1047 (issued March 14, 2023).

<sup>8</sup> *Order Remanding Case, J.B.*, Docket No. 22-0127 (issued February 16, 2023).