

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

S.M., Appellant)	
and)	Docket No. 25-0567
U.S. POSTAL SERVICE, OLIVEHURST POST OFFICE, Olivehurst, CA, Employer)	Issued: July 21, 2025
)	

Appearances:

Appellant, pro se

Office of Solicitor, for the Director

Case Submitted on the Record

DECISION AND ORDER

Before:

ALEC J. KOROMILAS, Chief Judge

PATRICIA H. FITZGERALD, Deputy Chief Judge

VALERIE D. EVANS-HARRELL, Alternate Judge

JURISDICTION

On May 21, 2025 appellant filed a timely appeal from a May 8, 2025 merit decision of the Office of Workers' Compensation Programs (OWCP). Pursuant to the Federal Employees' Compensation Act¹ (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 tarsal tunnel syndrome causally related to the accepted factors of her federal employment.

FACTUAL HISTORY

On March 1, 2025 appellant, then a 35-year-old city carrier, filed an occupational disease claim (Form CA-2) alleging that she developed tarsal tunnel syndrome due to factors of her federal employment, including being on her feet and walking over 10,000 steps up to eight hours a day,

¹ 5 U.S.C. § 8101 *et seq.*

and mounting and dismounting her work truck. She noted that she first became aware of her condition and realized its relation to her federal employment on December 19, 2021. Appellant stopped work on December 19, 2021.

In a February 24, 2025 statement, appellant indicated that she had been under a doctor's care since June 2021 after experiencing worsening pain in the heel of the left foot. She reiterated her belief that her condition developed as a result of prolonged standing and walking and repeatedly stepping in and out of her work truck.

In progress notes dated December 19, 2024 and February 13, 2025, Dr. Thong V. Truong, a podiatrist, noted examination findings and diagnosed left tarsal tunnel syndrome. He reported that appellant, when working in mail delivery, experienced chronic left foot heel pain for two years, which she noted was aggravated with walking and mounting and dismounting her work truck. Dr. Truong advised that cortisone injections and orthotics had not been effective, and that surgery may be necessary if all conservative treatments were exhausted. In the December 19, 2024 report, he opined that appellant's mail delivery work "could" aggravate her foot condition.

In a March 7, 2025 development letter, OWCP informed appellant of the deficiencies of her claim. It advised her of the type of factual and medical evidence required and provided a questionnaire for her completion. OWCP afforded appellant 60 days to submit the requested evidence. In a separate development letter of even date, it requested that the employing establishment provide additional information, including comments from a knowledgeable supervisor regarding appellant's allegations. OWCP afforded the employing establishment 30 days to respond.

Thereafter, OWCP received a February 13, 2025 report wherein Dr. Truong noted that appellant's condition and left heel pain symptoms were aggravated by walking and entering and exiting her work truck.

In a March 13, 2025 response to OWCP's development letter, the employing establishment indicated that it was impossible for appellant to complete 10,000 steps a day as a mail carrier as her route was comprised of 60 percent window duties, 25 percent dismount delivery, and 15 percent park and loop. It also noted that she had been on modified duty since January 2, 2022.

In a March 13, 2025 report, Dr. Truong noted that appellant, a postal service worker, was constantly on her feet with repetitive motions, including uneven surfaces, on and off the truck, and on and off sidewalk curves, as she delivers mail. He advised that orthotics, different shoes and several cortisone injections had not helped. Dr. Truong diagnosed left side tarsal tunnel syndrome, noting that positive examination findings for Valleix's sign on the medial malleolus of the left foot.

In a March 17, 2025 statement, appellant indicated that she inadvertently listed the year of her injury as 2021 and clarified that the correct date of injury was December 19, 2024. OWCP also received an unsigned duty status report (Form CA-17), which reported that she injured her foot as a result of performing her job duties.

In a follow-up letter dated April 10, 2025, OWCP advised appellant that it had conducted an interim review, and the evidence remained insufficient to establish her claim. It noted that she

had 60 days from the March 7, 2025 letter to submit the necessary evidence. OWCP further advised that if the necessary evidence was not received during this time, it would issue a decision based on the evidence contained in the record. No additional evidence was received.

By decision dated May 8, 2025, OWCP denied appellant's occupational disease claim, finding that the evidence of record was insufficient to establish a medical condition causally related to the accepted factors of her federal employment.

LEGAL PRECEDENT

An employee seeking benefits under FECA² has the burden of proof to establish the essential elements of his or her claim, including that the individual is an employee of the United States within the meaning of FECA, that the claim was timely filed within the applicable time limitation of FECA,³ that an injury was sustained in the performance of duty as alleged, and that any disability or medical condition for which compensation is claimed is causally related to the employment injury.⁴ These are the essential elements of each and every compensation claim, regardless of whether the claim is predicated upon a traumatic injury or an occupational disease.⁵

To establish that an injury was sustained in the performance of duty in an occupational disease claim, an employee must submit the following: (1) a factual statement identifying employment factors alleged to have caused or contributed to the presence or occurrence of the disease or condition; (2) medical evidence establishing the presence or existence of the disease or condition for which compensation is claimed; and (3) medical evidence establishing that the diagnosed condition is causally related to the employment factors identified by the employee.⁶

Causal relationship is a medical question that requires rationalized medical opinion evidence to resolve the issue.⁷ A physician's opinion on whether there is causal relationship between the diagnosed condition and the implicated employment factor(s) must be based on a complete factual and medical background.⁸ Additionally, the physician's opinion must be expressed in terms of a reasonable degree of medical certainty, and must be supported by medical

² *Id.*

³ *E.K.*, Docket No. 22-1130 (issued December 30, 2022); *F.H.*, Docket No. 18-0869 (issued January 29, 2020); *J.P.*, Docket No. 19-0129 (issued April 26, 2019); *Joe D. Cameron*, 41 ECAB 153 (1989).

⁴ *S.H.*, Docket No. 22-0391 (issued June 29, 2022); *L.C.*, Docket No. 19-1301 (issued January 29, 2020); *J.H.*, Docket No. 18-1637 (issued January 29, 2020); *James E. Chadden, Sr.*, 40 ECAB 312 (1988).

⁵ *E.H.*, Docket No. 22-0401 (issued June 29, 2022); *P.A.*, Docket No. 18-0559 (issued January 29, 2020); *K.M.*, Docket No. 15-1660 (issued September 16, 2016); *Delores C. Ellyett*, 41 ECAB 992 (1990).

⁶ *R.G.*, Docket No. 19-0233 (issued July 16, 2019). See also *Roy L. Humphrey*, 57 ECAB 238, 241 (2005); *Ruby I. Fish*, 46 ECAB 276, 279 (1994); *Victor J. Woodhams*, 41 ECAB 345 (1989).

⁷ *S.M.*, Docket No. 22-0075 (issued May 6, 2022); *S.S.*, Docket No. 19-0688 (issued January 24, 2020); *A.M.*, Docket No. 18-1748 (issued April 24, 2019); *Robert G. Morris*, 48 ECAB 238 (1996).

⁸ *M.V.*, Docket No. 18-0884 (issued December 28, 2018).

rationale explaining the nature of the relationship between the diagnosed condition and appellant's specific employment factor(s).⁹

In any case where a preexisting condition involving the same part of the body is present and the issue of causal relationship therefore involves aggravation, acceleration or precipitation, the physician must provide a rationalized medical opinion that differentiates between the effects of the work-related injury or disease and the preexisting condition.¹⁰

ANALYSIS

The Board finds that appellant has not met her burden of proof to establish tarsal tunnel syndrome causally related to the accepted factors of her federal employment.

In his December 19, 2024 report, Dr. Truong diagnosed left tarsal tunnel syndrome, which he opined "could" aggravate her foot condition. The Board has held that medical opinions that suggest that a condition could be caused or aggravated by work activities are speculative or equivocal in character and have limited probative value.¹¹ Further, Dr. Truong failed to provide a well-rationalized opinion explaining how appellant's accepted work factors caused or aggravated her diagnosed left tarsal tunnel condition. The Board has explained that medical rationale is particularly necessary if appellant has a preexisting condition.¹² This evidence is therefore insufficient to establish appellant's claim.

Dr. Truong's February 13 and March 13, 2025 reports, which also diagnosed left tarsal tunnel syndrome, are also insufficient to establish appellant's claim. In both reports, Dr. Truong failed to offer an opinion as to the causal relationship of the diagnosed left tarsal tunnel syndrome. The Board has held that medical evidence that does not offer an opinion regarding the cause of an employee's condition or disability is of no probative value on the issue of causal relationship.¹³ Thus, this evidence is insufficient to establish appellant's claim.

Appellant also submitted an unsigned Form CA-17. The Board has held that reports that are unsigned or bear an illegible signature lack proper identification and cannot be considered

⁹ See *P.V.*, Docket No. 25-0187 (issued March 17, 2025); *J.D.*, Docket No. 22-0935 (issued December 16, 2022); *T.L.*, Docket No. 18-0778 (issued January 22, 2020); *Y.S.*, Docket No. 18-0366 (issued January 22, 2020); *Victor J. Woodhams, supra* note 6.

¹⁰ Federal (FECA) Procedure Manual, Part 2 -- Claims, *Causal Relationship*, Chapter 2.805.3e (May 2023); *K.G.*, Docket No. 18-1598 (issued January 7, 2020); *M.S.*, Docket No. 19-0913 (issued November 25, 2019).

¹¹ *P.C.*, Docket No. 22-1242 (issued May 23, 2023); *J.W.*, Docket No. 18-0678 (issued March 3, 2020).

¹² *E.K.*, Docket No. 18-0835 (issued September 23, 2020); *G.H.*, Docket No. 18-0414 (issued November 14, 2018); *Del K. Rykert*, 40 ECAB 294-96 (1988).

¹³ See *F.J.*, Docket No. 25-0094 (issued February 19, 2025); *A.D.*, Docket No. 24-0411 (issued June 20, 2024); *T.H.*, Docket No. 21-1429 (issued November 2, 2023); *L.B.*, Docket No. 18-0533 (issued August 27, 2018); *D.K.*, Docket No. 17-1549 (issued July 6, 2018).

probative medical evidence because the author cannot be identified as a physician.¹⁴ Thus, this report is of no probative value and is insufficient to establish appellant's claim.

As appellant has not submitted rationalized medical evidence establishing tarsal tunnel syndrome causally related to the accepted factors of her federal employment, the Board finds that she has not met her burden of proof to establish her claim.¹⁵

Appellant may submit new evidence or argument with a written request for reconsideration to OWCP within one year of this merit decision, pursuant to 5 U.S.C. § 8128(a) and 20 C.F.R. §§ 10.605 through 10.607.

CONCLUSION

The Board finds that appellant has not met her burden of proof to establish tarsal tunnel syndrome causally related to the accepted factors of her federal employment.

¹⁴ See *P.V.*, Docket No. 25-0187 (issued March 17, 2025); *M.H.*, Docket No. 19-0162 (issued July 3, 2019); see also *Z.G.*, Docket No. 19-0967 (issued October 21, 2019); *D.D.*, 57 ECAB 734 (2006); *Merton J. Sills*, 39 ECAB 572, 575 (1988).

¹⁵ See *P.V.*, *id.*; *R.H.*, Docket No. 25-0188 (issued January 31, 2025).

ORDER

IT IS HEREBY ORDERED THAT the May 8, 2025 decision of the Office of Workers' Compensation Programs is affirmed.

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