

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

<hr/>)	
C.B., Appellant)	
)	
and)	Docket No. 25-0603
)	Issued: July 3, 2025
DEPARTMENT OF JUSTICE, FEDERAL)	
BUREAU OF PRISONS, FEDERAL)	
CORRECTIONAL INSTITUTION, DANBURY,)	
Danbury, CT, Employer)	
<hr/>)	

Appearances:
Appellant, pro se
Office of Solicitor, for the Director

Case Submitted on the Record

ORDER REMANDING CASE

Before:
ALEC J. KOROMILAS, Chief Judge
JANICE B. ASKIN, Judge
VALERIE D. EVANS-HARRELL, Alternate Judge

On May 31, 2025 appellant filed a timely appeal from a May 16, 2025 merit decision of the Office of Workers' Compensation Programs (OWCP).¹ The Clerk of the Appellate Boards assigned the appeal Docket No. 25-0603.²

On March 16, 2023 appellant, then a 31-year-old correctional officer, filed a traumatic injury claim (Form CA-1) alleging that on March 15, 2023 he injured his lower back, hips, legs and right shoulder, elbow, and wrist when he fell onto his back during self-defense training while

¹ The Board notes that appellant also presented arguments on his AB-1 form regarding attorney's fees. As there is no decision regarding attorney's fees over which the Board currently has jurisdiction, these arguments will not be addressed. *See* 20 C.F.R. § 501.2(c).

² The Board notes that, following the May 16, 2025 decision, OWCP received additional evidence. However, the *Board's Rules of Procedure* provides: "The Board's review of a case is limited to the evidence in the case record that was before OWCP at the time of its final decision. Evidence not before OWCP will not be considered by the Board for the first time on appeal." 20 C.F.R. § 501.2(c)(1). Thus, the Board is precluded from reviewing this additional evidence for the first time on appeal. *Id.*

in the performance of duty.³ He did not stop work. OWCP accepted the claim for degenerative disc disease of the lumbar spine, sciatica, lumbar herniated discs at L4-L5 and L5-S1, and traumatically-induced right elbow lateral epicondylitis.

On November 16, 2024 appellant filed a claim for compensation (Form CA-7) requesting a schedule award.

By decision dated May 16, 2025, OWCP granted appellant a schedule award for “17 percent” permanent impairment.⁴

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 of the issues depends on frequent cross-referencing between files, including when similar conditions are claimed in such cases.⁵ This allows OWCP to consider all relevant claim files in developing a given claim.⁶ Appellant’s claims under OWCP File Nos. xxxxxx375, xxxxxx846, and xxxxxx613 all involve the lower back, and should therefore be administratively combined for a full and fair adjudication.⁷ This will allow OWCP to consider all relevant reports and accompanying evidence in developing appellant’s schedule award claim.⁸

The Board shall, therefore, remand the case for OWCP to administratively combine OWCP File Nos. xxxxxx375, xxxxxx846, and xxxxxx613. Following this and other such further development as deemed necessary, OWCP shall issue a *de novo* decision. Accordingly,

³ OWCP assigned the present claim OWCP File No. xxxxxx375. Appellant previously filed a Form CA-1 for an April 24, 2021 low back injury, which OWCP processed as a short form closure under OWCP File No. xxxxxx846. He also previously filed a Form CA-1 for a May 10, 2022 low back injury with left-sided sciatica, which OWCP denied under OWCP File No. xxxxxx613. The claims have not been administratively combined by OWCP.

⁴ In its May 16, 2025 decision, OWCP did not specify the accepted condition or conditions for which it was granting a schedule award. In an automated compensation payment system record of even date, it noted it was paying schedule award compensation for 10 percent permanent impairment of the right arm and seven percent permanent impairment of the left leg.

⁵ Federal (FECA) Procedure Manual, Part 2 -- Claims, *File Maintenance and Management*, Chapter 2.400.8c (February 2000).

⁶ *Id.*

⁷ See *Order Remanding Case, J.L.*, Docket No. 24-0785 (issued November 1, 2024); *Order Remanding Case, M.T.*, Docket No. 24-0753 (issued September 23, 2024); *Order Remanding Case, K.W.*, Docket No. 22-1258 (issued March 14, 2023).

⁸ *Id.* See also *K.G.*, Docket No. 21-0068 (issued July 29, 2022); *D.J.*, Docket No. 20-0997 (issued November 20, 2020); *S.D.*, Docket No. 19-0590 (issued August 28, 2020).

IT IS HEREBY ORDERED THAT the May 16, 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: July 3, 2025
Washington, DC

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

Janice B. Askin, Judge
Employees' Compensation Appeals Board

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