

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

T.N., Appellant)	
)	
)	
and)	Docket No. 25-0672
)	Issued: July 23, 2025
U.S. POSTAL SERVICE, CARMEL)	
MOUNTAIN POSTAL STORE POST OFFICE,)	
San Diego, CA, Employer)	
)	

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

Case Submitted on the Record

DECISION AND ORDER

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

JURISDICTION

On July 6, 2025 appellant filed a timely appeal from a June 20, 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 his burden of proof to establish a traumatic injury while in the performance of duty on March 18, 2025, as alleged.

FACTUAL HISTORY

On March 25, 2025 appellant, then a 55-year-old rural carrier, filed a traumatic injury claim (Form CA-1) alleging that on March 18, 2025 he sustained injuries to his head and buttocks when

¹ 5 U.S.C. § 8101 *et seq.*

he lost consciousness while delivering mail in the performance of duty. On the reverse side of the claim form, the employing establishment acknowledged that he was injured in the performance of duty. Appellant stopped work on March 18, 2025.

Appellant provided a narrative statement relating that, on March 18, 2025, after delivering mail, he awoke on the ground and found his glasses and mail scattered approximately four feet away. He sat in his vehicle until he recovered his equilibrium and then continued with his mail route. Appellant noted that he developed pain in the left side of his head and in his buttocks over the course of the following 30 minutes, but continued to work.

In a March 27, 2025 development letter, OWCP informed appellant of the deficiencies of his claim. It advised him of the type of factual and medical evidence needed to establish his claim and provided a questionnaire for his completion. OWCP afforded appellant 60 days to submit the necessary evidence. By separate development letter of the same date, it requested additional information from the employing establishment, including witnesses' statements, knowledge of any preexisting medical condition, and the results of appellant's preemployment physical. OWCP afforded the employing establishment 30 days to submit the requested evidence.

OWCP subsequently received a March 20, 2025 note from Dr. Michael Wilson, a Board-certified internist, finding that appellant was unable to drive for medical reasons.

In a March 25, 2025 letter, the employing establishment controverted the claim. It provided a route completion time and global positioning satellite data for the time of the incident which indicated that appellant remained at the location of the alleged incident from 10:26 a.m. until 10:38 a.m. Appellant arrived at the next location on his route at 10:39 a.m. In the accompanying medical findings for preemployment, the physical examination was within normal limits. The employing establishment further indicated that there were no witnesses to the incident, and that it had no knowledge of medical conditions which may have contributed to the injury.

Dr. Wilson completed an April 4, 2025 attending physician's report (Form CA-20) and asserted that appellant "passed out" while on his work route. He listed physical findings of a bump on the head and headache. Dr. Wilson diagnosed syncope, etiology unknown. He related that the etiology of appellant's fainting was unknown and found that he was partially disabled as he could not drive.

On April 7, 2025 appellant responded to the development letter and provided his recollection of the events of March 18, 2025 and his subsequent request for medical treatment with no appointment available until March 20, 2025. He related that he did not have a preexisting condition or illness prior to losing consciousness on March 18, 2025, that he had never fainted before, that he sustained a small bump on the left side of his head, and that his left buttock was sore following his collapse. Appellant did not believe that he hit any objects.

In a follow-up letter dated April 18, 2025, OWCP advised appellant that it had conducted an interim review, and the evidence remained insufficient to establish his claim. It noted that he had 60 days from the March 27, 2025 letter to submit the necessary evidence. OWCP further advised that if the evidence was not received during this time, it would issue a decision based on the evidence contained in the record.

OWCP subsequently received additional medical evidence. On March 20, 2025 Dr. Wilson related that on Tuesday, March 17, 2025 appellant felt dizzy while walking on the way to work. He noted that appellant passed out and found himself on the ground with a bump on his head and no memory of the syncope episode. Dr. Wilson opined that the etiology of his loss of consciousness was unknown and that since the March 18, 2025 incident he felt normal with occasional dizziness, nausea, and heaviness in his head. He read appellant's electrocardiogram as normal. Dr. Wilson diagnosed syncope, unspecified type.

In an April 2, 2025 note, Dr. Jeremy Hogan, a Board-certified neurologist, related that appellant had experienced an unwitnessed loss of consciousness and awoke with a bump on his head. He advised appellant not to drive. On April 7, 2025 appellant underwent a brain magnetic resonance imaging (MRI) scan with contrast which demonstrated a benign vascular malformation in the left frontal lobe.

On May 2, 2025 Dr. Wilson completed a Form CA-20 diagnosing syncope due to seizure with a resulting bump on his head and headache with confusion. He opined that a seizure caused appellant to pass out. Dr. Wilson found that appellant could not drive and required modified duties.

By decision dated June 20, 2025, OWCP denied appellant's claim, finding that the medical evidence of record was insufficient to establish that an injury occurred in the performance of duty. It determined that his fall was idiopathic in nature and resulted from an underlying condition unrelated to employment. OWCP concluded, therefore, that the requirements have not been met to establish an injury as defined by FECA.

LEGAL PRECEDENT

An employee seeking benefits under FECA² has the burden of proof to establish the essential elements of his or her claim including the fact that the individual is an employee of the United States within the meaning of FECA, that the claim was timely filed, 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.³ These are the essential elements of every compensation claim regardless of whether the claim is predicated on a traumatic injury or an occupational disease.⁴

It is a well-settled principle of workers' compensation law that an injury resulting from an idiopathic fall where a personal, nonoccupational pathology causes an employee to collapse and to suffer injury upon striking the immediate supporting surface, and there is no intervention or

² *Id.*

³ *C.G.*, Docket No. 20-0058 (issued September 30, 2021); *S.B.*, Docket No. 17-1779 (issued February 7, 2018); *J.P.*, 59 ECAB 178 (2007); *Joe D. Cameron*, 41 ECAB 153 (1989).

⁴ *J.M.*, Docket No. 17-0284 (issued February 7, 2018); *R.C.*, 59 ECAB 427 (2008); *James E. Chadden, Sr.*, 40 ECAB 312 (1988).

contribution by any hazard or special condition of employment, is not within coverage of FECA.⁵ Such an injury does not arise out of a risk connected with the employment and is, therefore, not compensable.⁶ However, the fact that the cause of a particular fall cannot be ascertained or that the reason it occurred cannot be explained, does not establish that it was due to an idiopathic condition.⁷

This follows from the general rule that an injury occurring while in the performance of duty is compensable unless the injury is established to be within an exception to such general rule.⁸ OWCP has the burden of proof to submit medical evidence showing the existence of a personal, nonoccupational pathology if it chooses to make a finding that a given fall is idiopathic in nature.⁹ If the record does not establish that the particular fall was due to an idiopathic condition, it must be considered as merely an unexplained fall, one which is distinguishable from a fall in which it is definitely proven that a physical condition preexisted and caused the fall.¹⁰

ANALYSIS

The Board finds that appellant has not met his burden of proof to establish an injury in the performance of duty on March 18, 2025, as alleged.

In determining whether appellant's injury occurred in the performance of duty, the Board must first consider factors to determine whether the March 18, 2025 incident was caused by an idiopathic fall. Factors to be considered include whether there is evidence of a predisposed condition that caused him to collapse, whether there were any intervening circumstances or conditions that contributed to his fall, and whether he struck any part of his body against a wall, piece of equipment, furniture, or similar object as he fell.

The Board finds that the medical evidence of record is sufficient to establish that appellant's fall on March 18, 2025 was due to a personal, nonoccupational pathology without employment contribution.

In a March 20, 2025 report, Dr. Wilson, appellant's treating physician, related that on Tuesday, March 17, 2025, the day before the alleged injury, appellant felt dizzy while walking on the way to work. On May 2, 2025, he diagnosed syncope due to seizure and opined that a seizure caused appellant to pass out. In an April 2, 2025 note, Dr. Hogan indicated that appellant underwent a brain MRI scan with contrast which demonstrated a benign vascular malformation in

⁵ *M.A.*, Docket No. 19-0341 (issued July 10, 2019); *H.B.*, Docket No. 18-0278 (issued June 20, 2018); *Carol A. Lyles*, 57 ECAB 265 (2005).

⁶ *Id.*; see also *D.T.*, Docket No. 19-1486 (issued January 17, 2020).

⁷ *H.B.*, *supra* note 5; *M.M.*, Docket No. 08-1510 (issued November 25, 2008).

⁸ *P.N.*, Docket No. 17-1283 (issued April 5, 2018); *Dora Ward*, 43 ECAB 767 (1992).

⁹ *J.W.*, Docket No. 20-0598 (issued December 2, 2020); *A.B.*, Docket No. 17-1689 (issued December 4, 2018); *P.P.*, Docket No. 15-0522 (issued June 1, 2016); see also *Jennifer Atkerson*, 55 ECAB 317 (2004).

¹⁰ *P.N.*, *supra* note 8; *John R. Black*, 49 ECAB 624 (1998); *Judy Bryant*, 40 ECAB 207 (1988).

the left frontal lobe. The Board, therefore, finds that the evidence of record is sufficient to establish that appellant's fall was caused by a seizure. There is no evidence of record suggesting that appellant's seizure was caused or aggravated by any factors of his federal employment. As such, the fall was idiopathic.

Further, the Board finds that the evidence of record is insufficient to show that appellant experienced an intervention or contribution by any hazard or special condition of employment. Appellant alleged that his head injury and buttocks contusion occurred when he struck the ground when he fell on March 18, 2025.

This description of events, in which appellant's head and left buttock struck the ground after his seizure, does not establish an intervention or contribution by any hazard or special condition of employment. His head and buttock were described as damaged by direct contact with the ground. As such, appellant's idiopathic fall of March 18, 2025 is noncompensable.¹¹ Accordingly, he has not met his burden of proof to establish an injury in the performance of duty on March 18, 2025, as alleged.

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 his burden of proof to establish an injury in the performance of duty on March 18, 2025, as alleged.

¹¹ See *K.B.*, Docket No. 24-0352 (issued May 16, 2024); *L.H.*, Docket No. 22-0449 (issued November 8, 2022); *P.N.*, *supra* note 8.

ORDER

IT IS HEREBY ORDERED THAT the June 20, 2025 decision of the Office of Workers' Compensation Programs is affirmed.

Issued: July 23, 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