

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

J.W., Appellant

and

**U.S. AGENCY FOR INTERNATIONAL
DEVELOPMENT, Washington, DC, Employer**

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**Docket No. 25-0569
Issued: June 11, 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 22, 2025 appellant filed a timely appeal from a May 19, 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 a diagnosed medical condition in connection with the accepted June 24, 2024 employment incident.

FACTUAL HISTORY

On March 13, 2025 appellant, then a 52-year-old program management specialist, filed a traumatic injury claim (Form CA-1) alleging that on June 24, 2024 she sprained her left thumb as

¹ 5 U.S.C. § 8101 *et seq.*

a result of a motor vehicle accident while in the performance of duty. She noted that the accident occurred while she was traveling to Meru, Kenya for work.

In a development letter dated March 18, 2025, OWCP informed appellant of the deficiencies of her claim. It advised her of the type of additional factual and medical evidence needed and provided a questionnaire for her completion. OWCP afforded appellant 60 days to submit the necessary evidence. In a separate development letter of even date, it requested that the employing establishment provide additional information regarding whether she was on travel or temporary-duty status at the time of her claimed June 24, 2024 employment incident. OWCP afforded the employing establishment 30 days to respond.

On April 10, 2025, the employing establishment responded to OWCP's development letter, acknowledging that appellant was in the performance of duty at the time of her June 24, 2024 motor vehicle accident. It submitted e-mails dated April 8 through July 15, 2024, a travel voucher dated July 15, 2024 regarding appellant's temporary-duty work assignment in Meru, Kenya, and a police report dated July 19, 2024 regarding her June 24, 2024 motor vehicle accident.

In a follow-up development letter dated April 16, 2025, OWCP advised appellant that it had conducted an interim review, but the evidence remained insufficient to establish her claim. It noted that she had 60 days from the March 18, 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 medical evidence. In a June 24, 2024 medical report, Milicent Kinyanjui, a clinician, noted appellant's complaints of pain in her legs and hand following a motor vehicle accident on that date. Appellant's physical examination findings were also noted.

In a June 24, 2024 report, Dr. F. Githui, a radiologist, concluded that appellant's chest x-ray was normal. An x-ray of appellant's left thumb of even date also revealed normal findings.

In a June 25, 2024 work release note, a healthcare provider with an illegible signature indicated that appellant could return to work on June 27, 2024.

In a July 1, 2024 work release note, another healthcare provider with an illegible signature indicated that appellant could return to full-capacity work on July 4, 2024.

By decision dated May 19, 2025, OWCP denied appellant's traumatic injury claim, finding that the evidence of record was insufficient to establish a medical diagnosis in connection with the accepted June 24, 2024 employment incident. It concluded, therefore, that the requirements had not been met to establish an injury as defined under 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 that the individual is an employee of the United

² *Id.*

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 determine whether a federal employee has sustained a traumatic injury in the performance of duty, it first must be determined whether fact of injury has been established. There are two components involved in establishing fact of injury. The first component is that the employee must submit sufficient evidence to establish that he or she actually experienced the employment incident at the time and place, and in the manner alleged. The second component is whether the employment incident caused an injury.⁶

The medical evidence required to establish causal relationship between a claimed specific condition and an employment incident is rationalized medical opinion evidence.⁷ The opinion of the physician must be based on a complete factual and medical background of the employee, must be one of reasonable medical certainty, and must be supported by medical rationale explaining the nature of the relationship between the diagnosed condition and specific employment incident.⁸ Neither the mere fact that a disease or condition manifests itself during a period of employment, nor the belief that the disease or condition was caused or aggravated by employment factors or incidents is sufficient to establish causal relationship.⁹

ANALYSIS

The Board finds that appellant has not met her burden of proof to establish a diagnosed medical condition in connection with the accepted June 24, 2024 employment incident.

In support of her claim, appellant submitted a June 24, 2024 report, wherein Ms. Kinyanjui, a clinician, examined appellant and noted her complaints of pain in her legs and hand following

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 *L.C.*, Docket No. 19-1301 (issued January 29, 2020); *J.H.*, Docket No. 18-1637 (issued January 29, 2020); *R.C.*, 59 ECAB 427 (2008); *James E. Chadden, Sr.*, 40 ECAB 312 (1988).

⁵ *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 *T.H.*, Docket No. 19-0599 (issued January 28, 2020); *K.L.*, Docket No. 18-1029 (issued January 9, 2019); *John J. Carlone*, 41 ECAB 354 (1989).

⁷ *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 *F.S.*, Docket No. 23-0112 (issued April 26, 2023); *T.L.*, Docket No. 18-0778 (issued January 22, 2020); *Y.S.*, Docket No. 18-0366 (issued January 22, 2020); *Victor J. Woodhams*, 41 ECAB 345, 352 (1989).

⁹ *L.W.*, Docket No. 24-0947 (issued January 31, 2025); *T.H.*, Docket No. 18-1736 (issued March 13, 2019); *Dennis M. Mascarenas*, 49 ECAB 215 (1997).

the June 24, 2024 employment incident. However, under FECA, the assessment of pain is not considered a compensable medical diagnosis, as pain merely refers to a symptom of an underlying condition.¹⁰ Ms. Kinyanjui did not otherwise provide a firm diagnosis of a medical condition.¹¹ Therefore, this evidence is insufficient to establish the claim.¹²

Additionally, appellant submitted the June 25 and July 1, 2024 work release notes from healthcare providers with illegible signatures. The Board has held that reports that are unsigned or bear an illegible signature lack proper identification and cannot be considered probative medical evidence as the author cannot be identified as a physician.¹³ Therefore, this evidence is also insufficient to establish the claim.

The record also contains a June 24, 2024 chest x-ray report, which reflected normal findings. The Board has held that diagnostic studies, standing alone, without a diagnosis and opinion regarding causal relationship lack probative value.¹⁴

As the evidence of record is insufficient to establish a diagnosed medical condition in connection with the accepted June 24, 2024 employment incident, the Board finds that appellant has not met her burden of proof.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 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 a diagnosed medical condition in connection with the accepted June 24, 2024 employment incident.

¹⁰ *Y.R.*, Docket No. 25-0047 (issued December 2, 2024); *R.P.*, Docket No. 24-0424 (issued May 24, 2024); *J.L.*, Docket No. 20-1662 (issued October 7, 2022); *D.B.*, Docket No. 21-0550 (issued March 7, 2022).

¹¹ *See Y.R., id.; M.V.*, Docket No. 18-0884 (issued December 28, 2018); *see also P.S.*, Docket No. 12-1601 (issued January 2, 2013); *C.F.*, Docket No. 08-1102 (issued October 10, 2008).

¹² *See Y.R., id.; R.L.*, Docket No. 23-0098 (issued June 20, 2023); *A.S.*, Docket No. 19-1955 (issued April 9, 2020); *C.H.*, Docket No. 19-0409 (issued August 5, 2019).

¹³ *See B.C.*, Docket No. 25-0318 (issued March 21, 2025); *A.B.*, Docket No. 25-0057 (issued November 26, 2024); *B.S.*, Docket No. 22-0918 (issued August 29, 2022); *S.D.*, Docket No. 21-0292 (issued June 29, 2021); *C.B.*, Docket No. 09-2027 (issued May 12, 2010); *Merton J. Sills*, 39 ECAB 572, 575 (1988).

¹⁴ *J.K.*, Docket No. 24-0771 (issued August 21, 2024).

¹⁵ *J.E.*, Docket No. 16-0560 (issued June 2, 2016).

ORDER

IT IS HEREBY ORDERED THAT the May 19, 2025 merit decision of the Office of Workers' Compensation Programs is affirmed.

Issued: June 11, 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