

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

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J.L., Appellant )  
and ) Docket No. 25-0133  
DEPARTMENT OF AGRICULTURE, FOREST )  
SERVICE, HEBER RANGER DISTRICT, )  
Overgaard, AZ, Employer )  
Issued: September 25, 2025  
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*Appearances:*  
*Appellant, pro se*  
*Office of Solicitor, for the Director*

*Case Submitted on the Record*

**ORDER REMANDING CASE**

Before:  
PATRICIA H. FITZGERALD, Deputy Chief Judge  
JANICE B. ASKIN, Judge  
VALERIE D. EVANS-HARRELL, Alternate Judge

On November 18, 2024 appellant filed a timely appeal from two October 29, 2024 merit decisions of the Office of Workers' Compensation Programs (OWCP). The Clerk of the Appellate Boards docketed the appeal as No. 25-0133.

The Clerk of the Appellate Boards then served the Director of OWCP with a copy of appellant's appeal and requested that OWCP transmit the case record to the Board in accordance with the Board's *Rules of Procedure*.<sup>1</sup> OWCP subsequently forwarded the case record to the Board.

By decision dated October 29, 2024, OWCP approved appellant's claim for reimbursement of travel expenses for May 3, 2022, noting that it had received a medical treatment note for this date. However, it denied his claim for reimbursement of travel expenses for April 6 and May 4,

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<sup>1</sup> 20 C.F.R. § 501.4. On October 26, 1989 appellant, then a 34-year-old forestry technician, filed a traumatic injury claim (Form CA-1) alleging that on October 25, 1989 he twisted his lower back when jumping out of the way of a falling tree while in the performance of duty. OWCP accepted his claim for low back strain, unspecified anxiety state, other intervertebral disc degeneration of the lumbar region, and radiculopathy of the lumbar region.

2022, finding that it had not received documentation that he underwent treatment for a work-related condition on these dates.

By separate decision also dated October 29, 2024, OWCP approved appellant's claim for reimbursement of travel expenses, in part, for December 2, 2021, and January 6, March 8 and 9, and April 5, 2022, noting that it had received medical treatment notes for these dates. However, it denied his claim for reimbursement of travel expenses for December 1, 2021, finding that it had not received documentation that he underwent treatment for a work-related condition on this date. In addition, OWCP noted that it denied appellant's claim for reimbursement of travel expenses, in part, for March 9, 2022.

The case record initially transmitted to the Board did not include any medical travel refund request (Form OWCP-957) claims. Appellant appealed the October 29, 2024 decisions to the Board and, by order dated February 24, 2025,<sup>2</sup> the Board directed OWCP to produce the complete case record within 30 days, including any Form OWCP-957 claims filed by appellant.

On March 4, 2025 OWCP received a Form OWCP-957, dated June 8, 2022, wherein appellant requested reimbursement of travel expenses for November 8 and 13, and December 13, 2021. It also received additional OWCP-957 forms dated June 8, 2022, wherein he requested reimbursement of travel expenses for December 22, 2021, and January 12 and 17, February 10 and 12, April 6 and 9, May 3, 4, and 31, and June 8, 2022.

The Board, having duly considered this matter, however, finds that the case is not in posture for decision. While some OWCP-957 forms were added, the case record transmitted to the Board does not include all of appellant's Form OWCP-957 claims as requested by the Board in its February 24, 2025 order. For example, the Form OWCP-957 claims for reimbursement of travel expenses for December 1, 2021, and March 9, 2022 are not found in the case record.

Section 501.2(c) of the Board's *Rules of Procedure*<sup>3</sup> provides that the Board has jurisdiction to consider and decide appeals from the final decision of OWCP in any case arising under the Federal Employees' Compensation Act.<sup>4</sup> Because the record as transmitted to the Board is incomplete and would not permit an informed adjudication of the case,<sup>5</sup> the Board is unable to properly consider and decide appellant's claim. The case, therefore, is remanded to OWCP for reconstruction and proper assemblage of the record.<sup>6</sup> After this and such further development as deemed necessary, OWCP shall issue a *de novo* decision.

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<sup>2</sup> *Order to Complete Record Within 30 Days*, Docket No. 25-0133 (issued February 24, 2025).

<sup>3</sup> 20 C.F.R. § 501.2(c).

<sup>4</sup> 5 U.S.C. § 8101 *et seq.*

<sup>5</sup> See *Order Remanding Case*, J.C., Docket No. 21-1402 (issued January 11, 2023); *Order Remanding Case*, G.B., Docket No. 20-0236 (issued October 9, 2020); *H.C.*, Docket No. 19-1976 (issued May 26, 2020); *Order Remanding Case*, D.H., Docket No. 17-0224 (issued August 16, 2018).

<sup>6</sup> *Id.*

**IT IS HEREBY ORDERED THAT** the October 29, 2024 decisions of the Office of Workers' Compensation Programs are set aside and the case is remanded for further proceedings consistent with this order of the Board.

Issued: September 25, 2025  
Washington, DC

Patricia H. Fitzgerald, Deputy Chief Judge  
Employees' Compensation Appeals Board

Janice B. Askin, Judge  
Employees' Compensation Appeals Board

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