

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

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A.R., Appellant)	
)	
and)	
)	Docket No. 26-0132
)	Issued: April 22, 2026
U.S. POSTAL SERVICE, FOLSOM-EL)	
DORADO HILLS POST OFFICE,)	
El Dorado Hills, CA, Employer)	
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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 August 5, 2025¹ appellant filed a timely appeal from a March 26, 2025 merit decision and a June 2, 2025 nonmerit decision of the Office of Workers' Compensation Programs

¹ Pursuant to the Board's *Rules of Procedure*, an appeal is considered filed when received by the Clerk of the Appellate Boards. 20 C.F.R. § 501.3(e)-(f). However, when the date of receipt would result in a loss of appeal rights, the appeal will be considered to have been filed as of the date of the U.S. Postal Service postmark or other carriers date markings. *Id.* at § 501.3(f)(1). The 180th day following OWCP's March 26, 2025 decision was September 22, 2025. Because using November 25, 2025, the date the appeal was received by the Clerk of the Appellate Boards, would result in the loss of appeal rights, the date of the postmark is considered the date of filing. The date of the U.S. Postal Service postmark is August 5, 2025, rendering the appeal timely filed.

(OWCP).² Pursuant to the Federal Employees' Compensation Act³ (FECA) and 20 C.F.R. §§ 501.2(c) and 501.3, the Board has jurisdiction over the merits of this case.

ISSUES

The issues are: (1) whether appellant has met her burden of proof to establish an emotional/stress-related condition in the performance of duty on December 31, 2024, as alleged; and (2) whether OWCP properly denied appellant's request for reconsideration of the merits of her claim, pursuant to 5 U.S.C. § 8128.

FACTUAL HISTORY

On January 6, 2025 appellant, then a 59-year-old rural carrier, filed a traumatic injury claim (Form CA-1) alleging that on December 31, 2024 she sustained a cardiac arrest and became unconscious at the wheel of her employing establishment vehicle while in the performance of duty. She related that the cause of her cardiac event was unknown and that she was treated by paramedics at the scene. Appellant stopped work on the alleged date of injury. On the reverse side of the claim form, appellant's supervisor, R.S., indicated that she was injured in the performance of duty.

In a January 15, 2025 development letter, OWCP informed appellant of the deficiencies of her claim. It advised her of the type of additional factual and medical evidence required and provided a questionnaire for her completion. OWCP afforded appellant 60 days to submit the necessary evidence. In a development letter of even date, it requested that the employing establishment provide additional information regarding appellant's claim, including comments from a knowledgeable supervisor. OWCP afforded the employing establishment 30 days to provide the requested information.

On January 16, 2025 Margaret Mack, a family nurse practitioner, related that she had provided a cardiac evaluation on December 31, 2024 and that appellant underwent cardiac surgery on January 10, 2025. She provided work restrictions.

On January 23, 2025 the employing establishment concurred that appellant was on the clock and in her postal vehicle when the December 31, 2024 incident occurred. In a statement of even date, appellant's supervisor, J.W., related that she had text messaged him on December 29, 2024 to inform him that she was consulting a physician concerning a possible cardiac condition.

In a February 5, 2025 statement, appellant related that she did not recall her work activities immediately prior to the cardiac arrest due to short term memory loss. She asserted that she had

² The Board notes that, following the June 2, 2025 decision, appellant submitted additional evidence to OWCP. 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.*

³ 5 U.S.C. § 8101 *et seq.*

experienced heart palpitations and shortness of breath for years “during work and demanding work.” Appellant denied alcohol use or smoking.

In a February 12, 2025 follow-up letter, OWCP advised appellant that it had conducted an interim review and found that the evidence remained insufficient to establish her claim. It noted that she had 60 days from the January 15, 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 a series of partially illegible hospital and progress notes. On December 31, 2024 Dr. Jamal Sadik, a Board-certified pulmonologist, treated appellant during her hospitalization for acute hypoxic respiratory failure. Appellant underwent computerized tomography (CT) scans of the head, spine and chest and chest x-rays. On January 2, 2025 Dr. Sadik discharged her and diagnosed ventricular fibrillation and sternal fracture. He related that appellant lost consciousness while driving her route and her postal vehicle came to a stop after crashing into a structure, and that emergency medical services provided cardiopulmonary resuscitation as she was in ventricular fibrillation arrest. Commencing January 2, 2025, Dr. Abhilash P. Nair, a Board-certified pulmonologist, provided treatment. On January 17, 2025 Ms. Mack provided diagnoses.

On January 3, 2025 Dr. Sundeep Adusumalli, a Board-certified cardiologist, performed a left heart catheterization, coronary angiography, and right heart catheterization due to cardiac arrest. On January 10, 2025 Dr. Kapil Sharma, a Board-certified internist, performed radical repair of the mitral valve.

In a February 13, 2025 note, Patty Ramirez, a nurse practitioner, related that appellant underwent open heart surgery on January 10, 2025, and that she was totally disabled through April 4, 2025.

On February 26, 2025 appellant asserted that her heart and stress conditions were work related as she was overworked, on an overburdened route, and did not receive appropriate auxiliary assistance. She also alleged extreme duress through the actions of Postmaster G.B. Appellant related that she had filed a grievance and an Equal Employment Opportunity Commission (EEOC) complaint. She asserted that G.B. “made [her] life a living hell.” Appellant asserted that she was called into G.B.’s office every day for false and ridiculous accusations.

Appellant continued to provide medical records documenting her hospitalization and treatment. On January 13, 2025 Dr. Mark Bowers, a Board-certified orthopedic surgeon, performed insertion of dual chamber implantable cardiac defibrillator.

On March 17, 2025 appellant submitted an additional statement asserting that delivering mail on an overburdened route she experienced full cardiac arrest. She alleged that she was delivering heavy mail and packages weighing over 70 pounds. Appellant asserted that the employing establishment was a hostile work environment caused by G.B. She related that she had filed grievances and an EEOC complaint and that G.B. then retaliated against her. Appellant asserted that her work was stressful throughout the Christmas season as she was required to report to work early and finish at a specific time with no auxiliary assistance. She alleged diagnoses of

extreme anxiety and post-traumatic stress disorder (PTSD) which she attributed to the possibility that G.B. would make “crazy allegations.”

In a March 17, 2025 form report, Dr. Eleanor A. Loomis, a Board-certified psychiatrist, noted appellant’s allegations of overwork, heavy lifting, and work-related stress. She diagnosed heart valve disease and stress. Dr. Loomis indicated that her findings and diagnoses were consistent with appellant’s account of her injury. She noted that appellant reported high levels of stress due to her job prior to the onset of her cardiac event and that she was previously receiving treatment for anxiety. Dr. Loomis opined that appellant’s chest and back pain were not caused, exacerbated, or aggravated by factors of employment. She further opined that she could not determine whether the diagnosed condition of stress was work related and recommended examination by a psychologist.

By decision dated March 26, 2025, OWCP denied appellant’s traumatic injury claim, finding that she had not met her burden of proof to establish an emotional/stress-related condition in the performance of duty, on December 31, 2024, as she had not established the employment incidents alleged. It concluded, therefore, that the requirements had not been met to establish an injury as defined by FECA.

On May 11, 2025 appellant requested reconsideration. She provided a narrative statement disagreeing with the denial of her claim.

By decision dated June 2, 2025, OWCP denied appellant’s request for reconsideration of the merits of the claim, pursuant to 5 U.S.C. § 8128(a).

LEGAL PRECEDENT – ISSUE 1

An employee seeking benefits under FECA 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,⁴ that the claim was timely filed within the applicable time limitation period of FECA, 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.⁵ 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.⁶

To determine whether a federal employee has sustained a traumatic injury in the performance of duty it must first be determined whether fact of injury has been established.⁷ First,

⁴ *K.R.*, Docket No. 20-0995 (issued January 29, 2021); *A.W.*, Docket No. 19-0327 (issued July 19, 2019); *S.B.*, Docket No. 17-1779 (issued February 7, 2018); *J.P.*, 59 ECAB 178 (2007); *Joe D. Cameron*, 41 ECAB 153 (1989).

⁵ *J.M.*, Docket No. 17-0284 (issued February 7, 2018); *R.C.*, 59 ECAB 427 (2008); *James E. Chadden, Sr.*, 40 ECAB 312 (1988).

⁶ *J.B.*, Docket No. 20-1566 (issued August 31, 2021); *K.M.*, Docket No. 15-1660 (issued September 16, 2016); *L.M.*, Docket No. 13-1402 (issued February 7, 2014); *Delores C. Ellyett*, 41 ECAB 992 (1990).

⁷ *R.B.*, Docket No. 17-2014 (issued February 14, 2019); *B.F.*, Docket No. 09-0060 (issued March 17, 2009); *Bonnie A. Contreras*, 57 ECAB 364 (2006).

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.⁸ Second, the employee must submit sufficient evidence to establish that the employment incident caused a personal injury.⁹

To establish causal relationship between the condition and the employment event or incident, the employee must submit rationalized medical opinion evidence sufficient to establish such causal relationship.¹⁰ The opinion of the physician must be based on a complete factual and medical background, 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 the specific employment factors identified by the claimant.¹¹

Should a claimant submit an incorrect form, such as a notice of traumatic injury rather than a notice of occupational disease,¹² such a submission is a technical error. OWCP should inform the claimant and employing establishment whether the claim has been converted to a different type of injury than what was originally claimed and explain the reasons for the method of adjudication. If the actual benefits claimed by the claimant cannot be determined from review of the form, OWCP should develop the claim based upon the claim form filed and direct questions to the claimant to determine the type of benefits claimed. Based upon the response to the development letter, OWCP should make a determination as to whether the correct claim was established and, if not, OWCP should convert the claim to the proper type of claim and notify the claimant and employing establishment of the conversion.¹³

ANALYSIS -- ISSUE 1

The Board finds that this case is not in posture for decision.

Appellant filed a Form CA-1 alleging a December 31, 2024 traumatic injury arising from her employment duties that day resulting in cardiac arrest. In her February 26, 2025 response to OWCP's February 12, 2025 development letter, she asserted that her heart and stress conditions were work related as she was overworked, on an overburdened route, and did not receive appropriate auxiliary assistance. Appellant also alleged extreme duress through the actions of

⁸ *S.F.*, Docket No. 18-0296 (issued July 26, 2018); *D.B.*, 58 ECAB 464 (2007); *David Apgar*, 57 ECAB 137 (2005).

⁹ *A.D.*, Docket No. 17-1855 (issued February 26, 2018); *C.B.*, Docket No. 08-1583 (issued December 9, 2008); *D.G.*, 59 ECAB 734 (2008); *Bonnie A. Contreras*, *supra* note 7.

¹⁰ *See F.C.*, Docket No. 19-0594 (issued August 13, 2019); *K.V.*, Docket No. 18-0723 (issued November 9, 2018).

¹¹ *See F.C.*, *id.*; *I.J.*, 59 ECAB 408 (2008).

¹² A traumatic injury is defined as a condition of the body caused by a specific event or incident, or series of events or incidents, within a single workday or shift. 20 C.F.R. § 10.5(ee). An occupational disease is defined as a condition produced by the work environment over a period longer than a single workday or shift. 20 C.F.R. § 10.5(q).

¹³ Federal (FECA) Procedure Manual, Part 2 -- Claims, *Development of Claims*, Chapter 2.800.3(c)(2)(b) (June 2011). *See G.H.*, Docket No. 19-1141 (issued January 2, 2020). *L.S.*, Docket No. 21-0874 (issued April 4, 2023); *C.M.*, Docket No. 22-0180 (issued December 2, 2022); *M.C.*, Docket No. 21-1253 (issued February 4, 2022); *Y.M.*, Docket No. 19-1445 (issued May 6, 2020); *S.N.*, Docket No. 12-1814 (issued March 11, 2013).

Postmaster G.B. The Board therefore finds that she indicated a traumatic injury by filing a Form CA-1, but described her injury as occupational in nature. Under FECA, although it is the employee's burden of proof to establish his or her claim, OWCP also has a responsibility in the development of the factual evidence.¹⁴ It is the duty of the claims examiner to develop a claim based on the facts at hand and not solely on the basis of the type of claim form filed.¹⁵ OWCP's procedures provide that if the actual benefits claimed by the claimant cannot be determined from review of the form, OWCP should develop the claim based upon the claim form filed and direct questions to the claimant to determine the type of benefits claimed.¹⁶ Based upon appellant's response to the development letter, it should convert the claim to the proper type of claim and notify the claimant and employing establishment (and any representative, if applicable) of the conversion.¹⁷ Appellant's claim and subsequent statements relate circumstances of an occupational disease rather than a traumatic injury.

On remand OWCP shall properly adjudicate the claim as an occupational disease claim. After this and any other further development as deemed necessary, OWCP shall issue a *de novo* decision.¹⁸

CONCLUSION

The Board finds that this case is not in posture for decision.

¹⁴ See *G.S.*, Docket No. 16-0908 (issued October 26, 2017); *Willie A. Dean*, 40 ECAB 1208, 1212 (1989); *Willie James Clark*, 39 ECAB 1311, 1318-19 (1988).

¹⁵ *Supra* note 13.

¹⁶ *Id.*

¹⁷ *Id.*

¹⁸ In light of the Board's disposition of Issue 1, Issue 2 is rendered moot.

ORDER

IT IS HEREBY ORDERED THAT the March 26, 2025 decision of the Office of Workers' Compensation Programs is set aside, and the case is remanded for further proceedings consistent with this decision of the Board. The June 2, 2025 decision of the Office of Workers' Compensation Programs is set aside as moot.

Issued: April 22, 2026
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