

FACTUAL HISTORY

On June 19, 2025 appellant, then a 34-year-old former firefighter (hazardous materials operations), filed a traumatic injury claim (Form CA-1) alleging that on April 13, 2025 he sustained a laceration to his left index finger when he tapped out hair from a defective shaving razor while in the performance of duty. He noted that the incident occurred at 7:15 a.m. at Building C-22 (Fire Station 21). On the reverse side of the claim form, the employing establishment noted that appellant's regular work hours were 7:30 a.m. to 7:30 p.m., seven days per week, and checked a box marked "Yes" to indicate that he was injured while in the performance of duty. Appellant stopped work on the date of injury, returned to work on April 18, 2025, and resigned from federal employment effective May 22, 2025.

OWCP received a position description for appellant's firefighter position.

In a note dated April 13, 2025, Dr. Christine A. Collins, Board-certified in emergency medicine, noted that she reviewed an x-ray of appellant's left hand, which demonstrated no acute fracture, dislocation, or retained foreign body. In a letter of even date, she indicated that he could return to work effective April 18, 2025.

In a development letter dated June 20, 2025, OWCP informed appellant of the deficiencies of his claim. It advised him of the type of factual and medical evidence needed and provided a questionnaire for his completion. OWCP afforded appellant 60 days to submit the necessary evidence.

In a follow-up letter dated July 21, 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 June 20, 2025 letter to submit the requested 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 thereafter received an April 13, 2025 emergency room report by Dr. Collins, who noted that appellant cut his left index finger with a razor blade while shaving. Dr. Collins performed a physical examination and observed a superficial laceration to the tip of the left index finger. She diagnosed laceration of left index finger without foreign body or damage to nail.

In a letter dated August 21, 2025, the employing establishment controverted appellant's claim.

By decision dated August 29, 2025, OWCP accepted that the April 13, 2025 incident occurred, as alleged, and that a medical condition had been diagnosed. However, it denied appellant's traumatic injury claim, finding that the evidence of record was insufficient to establish that he was in the performance of duty at the time of the accepted April 13, 2025 incident. OWCP concluded, therefore, that the requirements had 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 that the individual is an employee of the United 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

FECA provides for the payment of compensation for the disability or death of an employee resulting from personal injury sustained while in the performance of duty.⁶ The phrase while in the performance of duty has been interpreted by the Board to be the equivalent of the commonly found prerequisite in workers compensation law of arising out of and in the course of employment. In addressing the issue, the Board has stated that for an incident to occur in the course of employment, in general, an injury must occur: (1) at a time when the employee may reasonably be said to be engaged in his master's business; (2) at a place where he may reasonably be expected to be in connection with the employment; and (3) while he was reasonably fulfilling the duties of his employment or engaged in doing something incidental thereto.⁷

In determining whether an injury occurs in a place where the employee may reasonably be or constitutes a deviation from the course of employment, the Board will focus on the nature of the activity in which the employee was engaged and whether it was reasonably incidental to the employee's work assignment or represented such a departure from the work assignment that the employee became engaged in personal activities unrelated to employment.⁸ The course of employment for employees having a fixed time and place of work includes a reasonable interval before and after official working hours while the employee is on the premises engaged in preparatory or incidental acts.⁹

² *Supra* note 1.

³ *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); *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 5 U.S.C. § 8102(a).

⁷ *George E. Franks*, 52 ECAB 490 (2001).

⁸ *Phyllis A. Sjoberg*, 57 ECAB 409 (2006).

⁹ *See J.K.*, Docket No. 17-0756 (issued July 11, 2018); *T.L.*, 59 ECAB 537 (2008).

ANALYSIS

The Board finds that appellant has not met his burden of proof to establish a traumatic injury in the performance of duty on April 13, 2025, as alleged.

Appellant alleged that he cut his left index finger while shaving on April 13, 2025. In a June 20, 2025 development letter, OWCP informed him of the deficiencies of his claim and provided a questionnaire for his completion. However, appellant did not sufficiently respond to OWCP's questionnaire. By letter dated August 21, 2025, the employing establishment controverted the claim.

As noted above, the Board has held that for an incident to occur in the course of employment, in general, an injury must occur: (1) at a time when the employee may reasonably be said to be engaged in his master's business; (2) at a place where he or she may reasonably be expected to be in connection with the employment; and (3) while he was reasonably fulfilling the duties of his employment or engaged in doing something incidental thereto.¹⁰ The Board finds that the evidence of record is insufficient to establish that appellant was engaged in the employing establishment's business, reasonably fulfilling the duties of his employment, or engaged in an activity incidental thereto at the time of the April 13, 2025 incident.¹¹ Consequently, the Board finds that he has not met her burden of proof.

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 a traumatic injury in the performance of duty on April 13, 2025, as alleged.

¹⁰ *Supra* note 7.

¹¹ *See A.D.*, Docket No. 25-0208 (issued February 20, 2025).

ORDER

IT IS HEREBY ORDERED THAT the August 29, 2025 decision of the Office of Workers' Compensation Programs is affirmed.

Issued: April 8, 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