

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

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L.D., Appellant)	
)	
and)	
)	Docket No. 26-0250
)	Issued: April 28, 2026
U.S. POSTAL SERVICE, HARRISBURG POST)	
OFFICE, Harrisburg, PA, Employer)	
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Appearances:
Appellant, pro se
Office of Solicitor, for the Director

Case Submitted on the Record

DECISION AND ORDER

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

JURISDICTION

On January 15, 2026 appellant filed a timely appeal from a January 15, 2026 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.²

¹ 5 U.S.C. § 8101 *et seq.*

² The Board notes that following the January 15, 2026 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.*

ISSUE

The issue is whether appellant has met her burden of proof to establish an emotional/stress-related condition in the performance of duty on October 6, 2025, as alleged.

FACTUAL HISTORY

On October 31, 2025 appellant, then a 57-year-old rural carrier, filed a traumatic injury claim (Form CA-1) alleging that on October 6, 2025 she collapsed from stress, anxiety, and high blood pressure due to verbal abuse from Postmaster A.S., her supervisor, while in the performance of duty. She alleged that A.S. disregarded her medical needs. Appellant explained that on October 6, 2025 she told A.S. that she did not feel well but was told she had to work her route. While on her route, she pulled her vehicle over as she felt weak and short of breath. A customer called an ambulance. Appellant indicated that enroute to the hospital she was given an electrocardiogram (EKG), nitroglycerin and four low dose aspirins and, at the hospital, she had an irregular heart rhythm. She stopped work on October 6, 2025, and returned to work on October 8, 2025.

In an October 30, 2025 note, Dr. Maura Curran, a family practitioner, recommended that appellant not drive until she was seen and evaluated by cardiology.

A partial copy of an October 30, 2025 employing establishment Equal Employment Opportunity (EEO) investigation acceptance noted in part an allegation that on October 6, 2025 appellant was not permitted to go home when she was sick. Subsequently she was taken to a hospital by ambulance.

In a November 6, 2025 development letter, OWCP informed appellant of the deficiencies of her claim. It advised her of the type of additional factual and medical evidence needed, including a detailed description of the implicated work incident, and provided a questionnaire for her completion. OWCP afforded appellant 60 days to respond.

On November 12, 2025 OWCP received an undated statement, wherein Postmaster A.S. recounted that, on the morning of Monday, October 6, 2025, appellant came into her office and asked her if she could have Tuesday, October 7, 2025 off as she did not feel well. Appellant indicated that she thought she might have the same illness that a co-worker, "T", had the previous week. A.S. told appellant she would see what she could do. She then approached appellant on the workroom floor sometime after 8:00 a.m. and told her that if she did not feel well and wanted to go home, then she would have to leave immediately. A.S. denied that appellant stated she wanted to leave or that the conversation was stressful or confrontational. She indicated that appellant finished casing her route and left for her route at approximately 10:10 a.m. At 10:50 a.m., A.S. received a call from a customer, who told her that appellant was taken by ambulance to the hospital for chest pains. She indicated that she tried to reach appellant and at approximately 12:00 p.m. asked the emergency room nurse to have appellant call her. At approximately 3:30 p.m., appellant called and said that she could work tomorrow, if needed. A.S. indicated that the doctor's note stated that appellant was not to return to work until October 8, 2025, and that on October 8, 2025 appellant returned to work with no issues. She denied that appellant told her that she had any heart-related conditions. A.S. noted that appellant had reasonable accommodation that she cannot

work more than 40 hours a week. A copy of the employing establishment's disability reasonable accommodation committee (DRAC) decision, dated March 24, 2023, which granted appellant's request for accommodations, was submitted.

OWCP received evidence regarding an EEO grievance. A letter dated November 13, 2025 from the National Rural Letter Carriers' Association related that appellant's grievance was settled at Step 1, with no finding of a hostile workplace environment.

In a November 21, 2025 return to duty and pre-disciplinary interview notice letter, the Postmaster related that appellant had not reported to duty since October 29, 2025. Appellant was advised that her absence may be charged as Absence Without Official Leave (AWOL). She was instructed to return to duty and notified that she was scheduled to attend a pre-disciplinary interview.

OWCP also received medical evidence.

In a November 25, 2025 letter, the employing establishment challenged appellant's claim.

In a follow-up letter dated December 16, 2025, OWCP advised appellant that it had conducted an interim review, and the evidence remained insufficient to establish the claim. It noted that she had 60 days from the November 6, 2025 development letter to submit the necessary supporting 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.

An October 6, 2025 emergency department record by Dr. Jason Goldwasser, an osteopath and Board-certified emergency medicine physician, noted diagnoses of unspecified chest pain, elevated liver function tests, and hepatic steatosis.

By decision dated January 15, 2026, OWCP denied appellant's claim for an employment-related emotional/stress-related condition, finding that she had not established that the incident occurred, as alleged. Therefore, the requirements had not been met to establish an injury as defined by FECA.

LEGAL PRECEDENT

An employee seeking benefits under FECA³ 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 filed within the applicable time limitation of FECA, that an injury was sustained in the performance of duty as alleged, and that any disability or specific condition for which compensation is claimed is causally related to the employment injury. 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.⁴

³ *Supra* note 1.

⁴ *See A.D.*, Docket No. 21-0639 (issued October 7, 2021); *M.H.*, Docket No. 19-0930 (issued June 17, 2020); *Gary J. Watling*, 52 ECAB 357 (2001).

To establish a claim for an emotional condition in the performance of duty, an employee must submit: (1) factual evidence identifying employment factors or incidents alleged to have caused or contributed to his or her condition; (2) medical evidence establishing that he or she has an emotional or psychiatric disorder; and (3) rationalized medical opinion evidence establishing that the identified compensable employment incident is causally related to his or her emotional condition.⁵

To establish that an injury occurred as alleged, the injury need not be confirmed by eyewitnesses, but the employee's statements must be consistent with the surrounding facts and circumstances and his or her subsequent course of action.⁶ The employee has not met his or her burden of proof to establish the occurrence of an injury when there are such inconsistencies in the evidence as to cast serious doubt upon the validity of the claim. Such circumstances as late notification of injury, lack of confirmation of injury, continuing to work without apparent difficulty following the alleged injury, and failure to obtain medical treatment may, if otherwise unexplained, cast serious doubt on an employee's statement in determining whether a *prima facie* case has been established.⁷ An employee's statement alleging that an injury occurred at a given time and in a given manner is of great probative value and will stand unless refuted by strong or persuasive evidence.⁸

ANALYSIS

The Board finds that appellant has not met her burden of proof to establish an emotional/stress-related condition in the performance of duty on October 6, 2025, as alleged.

In her Form CA-1, appellant generally alleged that she collapsed on October 6, 2025, while out on her route, due to stress, anxiety, and high blood pressure following verbal abuse from Postmaster A.S., who had disregarded her medical needs. She indicated that on the morning of October 6, 2025 she told A.S. that she did not feel well but was told she had to work her route. A.S., however, disputed appellant's version of events. She indicated that on the morning of Monday, October 6, 2025 appellant asked if she could have Tuesday, October 7, 2025 off as she did not feel well. A.S. stated that sometime after 8:00 a.m., she approached appellant on the workroom floor and told her that if she did not feel well and wanted to go home, then she would have to leave now. She denied that appellant indicated she wanted to leave or that the conversation was stressful or confrontational.

⁵ *R.B.*, Docket No. 19-0343 (issued February 14, 2020).

⁶ *C.T.*, Docket No. 23-0381 (issued February 28, 2024); *S.W.*, Docket No. 17-0261 (issued May 24, 2017); *Virgil F. Clark*, 40 ECAB 575 (1989); *Elizabeth A. Keller*, 34 ECAB 1566 at 1567 (1983).

⁷ *C.M.*, Docket No. 20-1519 (issued March 22, 2019); *S.A.*, Docket No. 19-0613 (issued August 22, 2019); *Betty J. Smith*, 54 ECAB 174 (2002).

⁸ *A.C.*, Docket No. 18-1567 (issued April 9, 2019); *D.B.*, 58 ECAB 529 (2007); *Gregory J. Reser*, 57 ECAB 277 (2005).

On November 6 and December 16, 2025 OWCP advised appellant of the type of additional evidence needed, including a detailed description of the implicated work factors. It also provided a questionnaire for appellant's completion. However, no response was received.

As appellant did not respond to OWCP's development letters, the Board finds that the record lacks sufficient factual evidence to establish specific details of how the claimed injury occurred.⁹ Moreover, A.S. refuted appellant's version of events. As the evidence of record is insufficient to establish an emotional/stress-related condition in the performance of duty, the Board finds that appellant has not met her burden of proof.¹⁰

As the Board finds that appellant has not established that the event occurred as alleged, it is not necessary to consider the medical evidence of record.¹¹

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 her burden of proof to establish an emotional/stress-related condition in the performance of duty on October 6, 2025, as alleged.

⁹ See *A.M.*, Docket No. 24-0460 (issued September 25, 2024); *K.C.*, Docket No. 24-0226 (issued July 17, 2024); *R.B.*, Docket No. 19-1026 (issued January 14, 2020); *M.S.*, Docket No. 18-0059 (issued June 12, 2019); *L.A.*, Docket No. 17-0138 (issued April 5, 2017); *John R. Black*, 49 ECAB 624 (1998); *Judy Bryant*, 40 ECAB 207 (1988); *Martha G. List*, 26 ECAB 200 (1974).

¹⁰ See *J.W.*, Docket No. 17-0999 (issued September 4, 2018); *Matilda R. Wyatt*, 52 ECAB 421 (2001); *Thomas D. McEuen*, 41 ECAB 387 (1990), *reaff'd on recon.*, 42 ECAB 556 (1991).

¹¹ *H.S.*, Docket No. 24-0375 (issued July 31, 2024); *T.B.*, Docket No. 23-0675 (issued June 24, 2024); *B.O.*, Docket No. 17-1986 (issued January 18, 2019); *Margaret S. Krzycki*, 43 ECAB 496, 502-03 (1992).

ORDER

IT IS HEREBY ORDERED THAT the January 15, 2026 decision of the Office of Workers' Compensation Programs is affirmed.

Issued: April 28, 2026
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