

² 20 C.F.R. § 501.4.

and the escalator inspection reports. Subsequently, following a request for reconsideration, by decision dated February 15, 2024, OWCP denied modification of its June 21, 2023 rescission decision.

The case record as transmitted to the Board did not include the video footage on which OWCP based its rescission decision. By order dated June 5, 2024,³ the Board directed OWCP to produce the complete case record within 30 days, including the video footage of July 18, 2022, and the escalator inspection reports. OWCP subsequently submitted a memorandum to the file dated September 27, 2022, indicating that it received physical evidence from the employing establishment. It described the physical evidence merely as “16 videos saved in two separate folders on [Amazon Web Services] AWS platform.” Although OWCP responded to the Board’s prior order to complete the record, its memorandum neither provided links, or instructions on how to access the video footage on the AWS platform, nor did it sufficiently describe the content of the video footage.

The Board, having duly considered this matter, finds that the case is not in posture for decision as OWCP has not transmitted the complete contents of appellant’s case record for review by the Board. Section 501.2(c) of the Board’s *Rules of Procedure*,⁴ 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.⁵ Because the case record as transmitted to the Board is incomplete and would not permit an informed adjudication of the case,⁶ 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.⁷ After such further development as deemed necessary, OWCP shall issue a *de novo* decision regarding its rescission of the acceptance of appellant’s claim. Accordingly,

³ *Order to Complete the Record Within 30 Days*, Docket No. 24-0468 (issued June 5, 2024).

⁴ 20 C.F.R. § 501.2(c).

⁵ 5 U.S.C. § 8101 *et seq.*

⁶ *See Order Remanding Case, J.L.*, Docket No. 25-0133 (issued September 25, 2025); *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).

⁷ *Id.*

IT IS HEREBY ORDERED THAT the February 15, 2024 rescission decision of the Office of Workers' Compensation Programs is set aside, and the case is remanded for further proceedings consistent with this order of the Board.

Issued: August 7, 2026
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