

<sup>2</sup> The Board notes that following the March 3, 2026 decision, OWCP received additional evidence. 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.*

### **FACTUAL HISTORY**

On December 20, 2025 appellant, then a 60-year-old postal carrier, filed a traumatic injury claim (Form CA-1) alleging that on December 15, 2025 she pulled a muscle and suffered a pinched nerve in her back when bending over to lift a box while in the performance of duty. She stopped work on December 15, 2025, and returned to work on January 26, 2026.

In a development letter dated December 31, 2025, OWCP informed appellant of the deficiencies of her claim. It advised her of the type of medical evidence needed to establish her claim and afforded her 60 days to provide the necessary evidence.

In response, appellant submitted an emergency department report dated December 15, 2025, wherein Dr. Joseph McIlwain, a physician Board-certified in emergency medicine related appellant's December 15, 2025 history of injury. He noted that appellant's lumbar films revealed some degenerative disc disease and that appellant's hand tingling over the past few weeks was more like due to cervical radiculopathy. Dr. McIlwain concluded that appellant's diagnoses included back pain, postural dizziness with presyncope, near syncope, and face and hand tingling.

Also submitted was an unsigned December 16, 2025 disability note indicating that appellant needed to be off work due to an injury until a follow-up visit in six weeks.

In a follow-up letter dated January 28, 2026, OWCP advised appellant that it had conducted an interim review, and the evidence remained insufficient to establish the medical component of her claim. It noted that she had 60 days from the December 31, 2025 development letter to submit the necessary evidence. OWCP further advised that if the necessary medical evidence was not received during this time, it would issue a decision based on the evidence contained in the record. No additional evidence was received.

By decision dated March 3, 2026, OWCP denied appellant's traumatic injury claim. It found that the December 15, 2025 employment incident occurred as alleged; however, the medical evidence of record was insufficient to establish a medical diagnosis in connection with the December 15, 2025 employment 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 FECA<sup>3</sup> 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,<sup>4</sup> 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

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<sup>3</sup> *Supra* note 1.

<sup>4</sup> *B.H.*, Docket No. 26-0067 (issued March 3, 2026); *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).

to the employment injury.<sup>5</sup> 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.<sup>6</sup>

To determine whether a federal employee has sustained a traumatic injury in the performance of duty, it first must be determined whether fact of injury has been established. There are two components involved in establishing fact of injury. The first component is whether the employee actually experienced the employment incident at the time and place, and in the manner alleged. The second component is whether the employment incident caused an injury.<sup>7</sup>

The medical evidence required to establish causal relationship between a claimed specific condition and an employment incident is rationalized medical opinion evidence.<sup>8</sup> The opinion of the physician must be based on a complete factual and medical background of the employee, 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 specific employment incident identified by the employee.<sup>9</sup>

### ANALYSIS

The Board finds that appellant has not met her burden of proof to establish a medical diagnosis in connection with the accepted December 15, 2025 employment incident.

In an emergency department report dated December 15, 2025, Dr. McIlwain noted appellant's history of injury and related that she was seen that day for back pain, postural dizziness with presyncope, near syncope, and face and hand tingling. However, he did not provide a firm diagnosis of a medical condition.<sup>10</sup> Therefore, this evidence is insufficient to establish the claim.

Appellant also submitted a December 16, 2025 unsigned disability note. The Board has held that reports that are unsigned or bear an illegible signature lack proper identification and cannot be considered probative medical evidence because the author cannot be identified as a

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

<sup>6</sup> *B.H., id.*; *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).

<sup>7</sup> *B.H., id.*; *T.H.*, Docket No. 19-0599 (issued January 28, 2020); *K.L.*, Docket No. 18-1029 (issued January 9, 2019); *John J. Carlone*, 41 ECAB 354 (1989).

<sup>8</sup> *B.H., id.*; *S.S.*, Docket No. 19-0688 (issued January 24, 2020); *A.M.*, Docket No. 18-1748 (issued April 24, 2019); *Robert G. Morris*, 48 ECAB 238 (1996).

<sup>9</sup> *B.H., id.*; *A.S.*, Docket No. 19-1955 (issued April 9, 2020); *Leslie C. Moore*, 52 ECAB 132 (2000).

<sup>10</sup> *S.S.*, Docket No. 26-0259 (issued May 11, 2026); *M.T.*, Docket No. 25-0358 (issued April 7, 2025).

physician.<sup>11</sup> Thus, this report is of no probative value and is insufficient to establish appellant's claim.

As the medical evidence of record is insufficient to establish a medical diagnosis in connection with the accepted December 15, 2025 employment incident, the Board finds that appellant 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 her burden of proof to establish a medical diagnosis in connection with the accepted December 15, 2025 employment incident.

### **ORDER**

**IT IS HEREBY ORDERED THAT** the March 3, 2026 decision of the Office of Workers' Compensation Programs is affirmed.

Issued: August 10, 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

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<sup>11</sup> See *P.V.*, Docket No. 25-0187 (issued March 17, 2025); *M.H.*, Docket No. 19-0162 (issued July 3, 2019); see also *Z.G.*, Docket No. 19-0967 (issued October 21, 2019); *D.D.*, 57 ECAB 734 (2006); *Merton J. Sills*, 39 ECAB 572, 575 (1988).