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D.R., Appellant	)	
	)	
and	)	
	)	Docket No. 26-0493
	)	Issued: August 14, 2026
DEPARTMENT OF THE AIR FORCE,	)	
MATERIEL STORAGE & DISTRIBUTION	)	
BRANCH, WRIGHT PATTERSON AIR FORCE	)	
BASE, OH, Employer	)	
	)	

Case Submitted on the Record

Before:
ALEC J. KOROMILAS, Chief Judge
PATRICIA H. FITZGERALD, Deputy Chief Judge
VALERIE D. EVANS-HARRELL, Alternate Judge

On April 27, 2026 appellant filed a timely appeal from an April 8, 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

² The Board notes that following the April 8, 2026 decision appellant submitted additional evidence to OWCP and on appeal. 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 OWCP properly suspended appellant's wage-loss compensation benefits, effective April 8, 2026, for failure to complete a financial disclosure statement (Form EN-1032), as requested.

FACTUAL HISTORY

On August 15, 1991 appellant then a 42-year-old materials handler, filed a traumatic injury claim (Form CA-1) alleging that on July 15, 1991 he injured his right knee when he struck his knee on the side of a forklift while in the performance of duty. OWCP accepted the claim for right knee contusion, right lower leg osteoarthritis, right chondromalacia patellae, right knee medial meniscus tear, right lower leg traumatic arthropathy, and right sacroiliitis. It paid appellant wage-loss compensation on the supplemental and periodic rolls.

OWCP periodically requested that appellant submit EN-1032 forms, which solicited information regarding his financial status.

By letter dated February 9, 2026, OWCP informed appellant that federal regulations required him to execute an affidavit regarding any earnings received or employment performed during the previous 15 months, and that it had enclosed a Form EN-1032 for that purpose. It notified him that he must fully answer all questions on the enclosed EN-1032 form and return it to OWCP within 30 days, or his benefits would be suspended, pursuant to 20 C.F.R. § 10.528. OWCP mailed the letter to appellant's last known address of record. No response was received within the time allotted.

By decision dated April 8, 2026, OWCP suspended appellant's wage-loss compensation benefits, effective that date, due to his failure to submit the Form EN-1032 as requested. It advised that if he completed and returned an enclosed copy of the Form EN-1032, his compensation benefits would be restored retroactively to the date of suspension.

LEGAL PRECEDENT

Section 8106(b) of FECA³ authorizes the Secretary of Labor to require a partially disabled employee to report his or her earnings from employment or self-employment, by affidavit or otherwise, in the manner and at the times the Secretary specifies.

Under section 10.528 of OWCP's implementing federal regulations, an employee in receipt of compensation benefits must complete an affidavit as to any work, or activity indicating an ability to work, which the employee has performed during the prior 15 months.⁴ If an employee who is required to file such a report fails to do so within 30 days of the date of the request, his or her right

³ 5 U.S.C. § 8106(b).

⁴ 20 C.F.R. § 10.528; *P.S.*, Docket No. 26-0194 (issued March 26, 2026); *D.G.*, Docket No. 25-0810 (issued September 18, 2025); *C.B.*, Docket No. 24-0188 (issued May 1, 2024); *A.S.*, Docket No. 23-0437 (issued February 16, 2024). *See also H.B.*, Docket No. 19-0405 (issued June 26, 2019); *M.S.*, Docket No. 18-1107 (issued December 28, 2018); *C.C.*, Docket No. 17-0043 (issued June 15, 2018); *A.H.*, Docket No. 15-0241 (issued April 3, 2015).

to compensation for wage loss is suspended until OWCP receives the requested report. At that time, OWCP will reinstate compensation retroactive to the date of suspension, if the employee remains entitled to compensation.⁵

ANALYSIS

The Board finds that OWCP properly suspended appellant's wage-loss compensation benefits, effective April 8, 2026, for failure to complete a Form EN-1032, as requested.

On February 9, 2026 OWCP provided appellant with an EN-1032 form and notified him that federal regulations required him to answer all questions concerning his employment or earnings. It properly notified him that, if he did not completely answer all questions and return the completed form within 30 days, his benefits would be suspended. The record reflects that OWCP sent the letter to appellant's last known address of record and there is no indication that it was returned as undeliverable.⁶ Under the mailbox rule, a document mailed in the ordinary course of the sender's business practices to the addressee's last known address is presumed to be received by the addressee.⁷

Appellant was receiving wage-loss compensation and was, therefore, required to complete the EN-1032 form in a timely manner. The case record indicates that he failed to submit a completed EN-1032 form within 30 days of OWCP's request. Appellant's failure to file a completed EN-1032 form within 30 days required the suspension of his wage-loss compensation.⁸ Thus, the Board finds that OWCP properly suspended his wage-loss compensation, effective April 8, 2026, pursuant to 20 C.F.R. § 10.528.

CONCLUSION

The Board finds that OWCP properly suspended appellant's wage-loss compensation benefits, effective April 8, 2026, for failure to complete a Form EN-1032, as requested.

⁵ *Id.*; *A.F.*, Docket No. 26-0081 (issued February 11, 2026); *C.G.*, Docket No. 24-0210 (issued August 27, 2024); *P.M.*, Docket No. 16-0382 (issued May 19, 2016). *See also id.* at § 10.525.

⁶ *See D.H.*, Docket No. 26-0474 (issued July 29, 2026); *D.G.*, Docket No. 25-0810 (issued September 18, 2025); *K.O.*, Docket No. 23-1150 (issued March 12, 2024); *Kenneth E. Harris*, 54 ECAB 502 (2003).

⁷ *Id.*

⁸ *See A.S.*, Docket No. 25-0920 (issued January 2, 2026); *H.W.*, Docket No. 23-0284 (issued March 30, 2023); *J.B.*, Docket No. 22-0162 (issued May 24, 2022); *J.M.*, Docket No. 20-1310 (issued April 21, 2021); *R.C.*, Docket No. 12-135 (issued May 11, 2012).

ORDER

IT IS HEREBY ORDERED THAT the April 8, 2026 decision of the Office of Workers' Compensation Programs is affirmed.

Issued: August 14, 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