

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

V.W., Appellant)	
)	
and)	Docket Nos. 26-0125 & 26-0126
)	Issued: February 24, 2026
U.S. POSTAL SERVICE, BIRMINGHAM POST OFFICE, Birmingham, AL, Employer)	
)	
)	

Appearances:
Alan J. Shapiro, Esq., for the appellant¹
Office of Solicitor, for the Director

Case Submitted on the Record

ORDER REMANDING CASE

Before:
ALEC J. KOROMILAS, Chief Judge
PATRICIA H. FITZGERALD, Deputy Chief Judge
JANICE B. ASKIN, Judge

On November 24, 2025 appellant, through counsel, filed a timely appeal from a September 23, 2025 merit decision of the Office of Workers' Compensation Programs (OWCP) under OWCP File No. xxxxxx011 and a September 24, 2025 merit decision of OWCP under OWCP File No. xxxxxx178.² The Clerk of the Appellate Boards assigned these appeals Nos. 26-0125 and 26-0126, respectively.

Under OWCP File No. xxxxxx011, on February 21, 2025 appellant, then a 42-year-old city carrier, filed an occupational disease claim (Form CA-2) alleging that she sustained a hand

¹ In all cases in which a representative has been authorized in a matter before the Board, no claim for a fee for legal or other service performed on appeal before the Board is valid unless approved by the Board. 20 C.F.R. § 501.9(e). No contract for a stipulated fee or on a contingent fee basis will be approved by the Board. *Id.* An attorney or representative's collection of a fee without the Board's approval may constitute a misdemeanor, subject to fine or imprisonment for up to one year or both. *Id.*; *see also* 18 U.S.C. § 292. Demands for payment of fees to a representative, prior to approval by the Board, may be reported to appropriate authorities for investigation.

² The Board notes that, following the issuance of the September 23 and 24, 2025 decisions, OWCP received additional evidence. 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.*

injury due to factors of her federal employment. She related that her repetitive work duties included driving, handling mail, opening and closing mailboxes for 10 to 12 hours per day, and heavy lifting while in the performance of duty. Appellant noted that she first became aware of her condition on January 2, 2023, and realized its relationship to her federal employment on November 5, 2024. By decision dated May 5, 2025, OWCP denied appellant's claim, finding that the medical evidence of record was insufficient to establish causal relationship between a medical condition and the accepted factors of her federal employment. Appellant requested reconsideration and by decision dated September 23, 2025, OWCP denied modification of its May 5, 2025 decision. The decisions dated May 5 and September 23, 2025 both noted a prior March 1, 2024 motor vehicle accident.

Prior to the filing of her occupational disease claim on February 21, 2025, appellant filed a traumatic injury claim (Form CA-1) on December 2, 2024 under OWCP File No. xxxxxx178. She alleged that on March 1, 2024, she pulled ligaments and sustained CTS in both hands during a motor vehicle accident while in the performance of duty. By decision dated February 12, 2025, OWCP denied appellant's claim, finding that the medical evidence of record was insufficient to establish causal relationship between a medical condition and the accepted factors of her federal employment. Appellant requested reconsideration and by decision dated September 24, 2025, OWCP denied modification of its February 12, 2025 decision.

The Board, having duly considered these matters, finds that these cases are not in posture for decision.

OWCP's procedures provide that cases should be administratively combined when correct adjudication of the issues depends on frequent cross-referencing between files, including when similar conditions are claimed in such cases.³ For example, if a new injury case is reported for an employee who previously filed an injury claim for a similar condition or the same part of the body, doubling is required.⁴ This allows OWCP to consider all relevant medical evidence in developing a given claim.⁵ As appellant's claims under OWCP File Nos. xxxxxx178 and xxxxxx011 both involve a bilateral wrist condition, these claims must be administratively combined for a full and fair adjudication.⁶

The Board shall, therefore, set aside the September 23 and 24, 2025 decisions and remand the cases for OWCP to administratively combine OWCP File Nos. xxxxxx178 and

³ Federal (FECA) Procedure Manual, Part 2 -- Claims, *File Maintenance and Management*, Chapter 2.400.8c (February 2000).

⁴ *Id.*; *S.G.*, Docket No. 21-0396 (issued September 27, 2021); *R.L.*, Docket No. 20-0901 (issued July 27, 2021); *M.E.*, Docket No. 21-0094 (issued May 27, 2021); *L.M.*, Docket No. 19-1490 (issued January 29, 2020); *L.H.*, Docket No 18-1777 (issued July 2, 2019).

⁵ See *Order Remanding Case, P.P.*, Docket Nos. 25-0118 and 25-0119 (issued December 10, 2024); *Order Remanding Case, I.M.*, Docket Nos. 24-0334 and 24-0367 (issued July 15, 2024); *Order Remanding Case, M.T.*, Docket No. 24-0753 (issued September 23, 2024).

⁶ *P.P., id.*; *I.M., id.*; *M.T., id.*; see *Order Remanding Case, K.W.*, Docket No. 22-1258 (issued March 14, 2023).

xxxxxx011. Following this and other such further development as deemed necessary, OWCP shall issue *de novo* decisions.⁷ Accordingly,

IT IS HEREBY ORDERED THAT the September 23, 2025 merit decision of the Office of Workers' Compensation Programs under OWCP File No. xxxxxx011 and the September 24, 2025 merit decision of the Office of Workers' Compensation Programs under OWCP File No. xxxxxx178 are set aside and the cases are remanded for further proceedings consistent with this order of the Board.

Issued: February 24, 2026
Washington, DC

Alec J. Koromilas, Chief Judge
Employees' Compensation Appeals Board

Patricia H. Fitzgerald, Deputy Chief Judge
Employees' Compensation Appeals Board

Janice B. Askin, Judge
Employees' Compensation Appeals Board

⁷ See *P.P., id.*; *M.B.*, Docket No. 20-0770 (issued January 5, 2021); *R.G.*, Docket No. 19-1755 (issued July 7, 2020); *L.M.*, *supra* note 4.