

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

V.A. widow of P.A., Appellant)
and)
DEPARTMENT OF HOMELAND SECURITY,)
TRANSPORTATION SECURITY)
ADMINISTRATION, FEDERAL AIR)
MARSHAL SERVICE, Coppell, TX, Employer)
_____)
Docket No. 25-0736
Issued: January 29, 2026

Appearances: *Case Submitted on the Record*
Debra Hauser, Esq., for the appellant¹
Office of Solicitor, for the Director

ORDER REMANDING CASE

Before:

On July 15, 2025 appellant, through counsel, filed a timely appeal from a February 20, 2025 decision of the Office of Workers' Compensation Programs (OWCP). The Clerk of the Appellate Boards assigned Docket No. 25-0736.

On December 14, 2015 the employee, then a 46-year-old federal air marshal, filed a traumatic injury claim (Form CA-1) alleging that on December 12, 2015 he injured his left knee and elbows when he slipped and fell while in the performance of duty. OWCP assigned the claim OWCP File No. xxxxxxx 171 and accepted it for sprains of both elbows, left knee, and left

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.

hip; and strain of muscle, fascia, and tendon of the left hip.² It later expanded the claim to include intervertebral disc disorders of the lumbosacral region with radiculopathy; articular cartilage disorders of the left hip; lumbar spondylosis without myelopathy or radiculopathy; lumbar facet hypertrophy; lumbar facet syndrome; inflammatory spondylopathy of the lumbar region; intervertebral disc degeneration of the lumbar region; radiculopathy of the lumbar region; unilateral post-traumatic osteoarthritis of the left knee; enthesopathies of the left lower extremity, excluding the left foot; and foot drop of the right foot.

By decision dated February 28, 2020, OWCP granted the employee a schedule award for two percent “bilateral” upper extremity permanent impairment. By decision dated February 23, 2021, it granted the employee a schedule award for an additional three percent permanent impairment of the left lower extremity. By decision dated April 19, 2021, OWCP granted the employee a schedule award for an additional four percent permanent impairment of each upper extremity. By decision dated April 7, 2022, it granted the employee a schedule award for an additional 8 percent permanent impairment of the left upper extremity, an additional 4 percent permanent impairment of the right upper extremity, and an additional 40 percent permanent impairment of the left lower extremity.

The Board, having duly considered this matter, finds that the case is not in posture for decision.

OWCP’s procedures provide that cases should be administratively combined where a new injury case is reported for an employee who filed another injury claim for the same part of the body and where correct adjudication depends on cross-referencing between files.³ This will allow OWCP to consider all relevant claim files in developing this claim.⁴ OWCP previously administratively combined OWCP File Nos. xxxxxx171, xxxxxx438, xxxxxx456, xxxxxx115, and xxxxxx763, with the latter serving as the master file. The combined files relate to accepted conditions of the upper extremities, back, and lower extremities. However, OWCP has not administratively combined OWCP File No. xxxxxx959, concerning accepted lower extremity conditions, with the above-noted files which also relate in part to accepted lower extremity

² The record reflects that the employee had other previously accepted claims under separate file numbers. OWCP accepted right calf strain due to a January 12, 2006 traumatic injury (OWCP File No. xxxxxx763); medial collateral ligament (MCL) sprain, anterior cruciate ligament (ACL) disruption, and effusion of the right knee due to a June 2, 2008 traumatic injury (OWCP File No. xxxxxx438); venous embolism and thrombosis of deep vessels of the distal left lower extremity, and sprain of the left lower extremity due to an occupational injury sustained by May 21, 2013 (OWCP File No. xxxxxx456); and internal derangement of the left knee and sprain of the left knee (including the ACL) due to a March 2, 2015 traumatic injury (OWCP File No. xxxxxx115). OWCP has administratively combined OWCP File Nos. xxxxxx171, xxxxxx438, xxxxxx456, xxxxxx115, and xxxxxx763, with the latter serving as the master file. Under a separate case file, assigned OWCP File No. xxxxxx959, OWCP accepted that on October 15, 2021 the employee sustained posterior tibial tendinitis of the right leg, synovitis and tenosynovitis of the right ankle/foot, and disturbances of skin sensation.

³ Federal (FECA) Procedure Manual, Part 2 -- Claims, *File Maintenance and Management*, Chapter 2.400.8(c)(1) (February 2000); *V.G.*, Docket No. 19-0670 (issued April 30, 2020); *L.P.*, Docket Nos. 18-1558, 18-1568 (issued June 21, 2019); *L.S.*, Docket Nos. 17-1863, 17-1867, 17-1868 (issued April 18, 2018); *W.S.*, Docket No. 15-0969 (issued October 5, 2015); *C.C.*, Docket No. 14-1576 (issued March 9, 2015).

⁴ *Id.*

conditions. Therefore, for full and fair adjudication, the case shall be remanded to OWCP to administratively combine OWCP File No. xxxxxx959 with OWCP File Nos. xxxxxx171, xxxxxx438, xxxxxx456, xxxxxx115, and xxxxxx763. Following this and other such further development as deemed necessary, OWCP shall issue a *de novo* decision.

IT IS HEREBY ORDERED THAT the February 20, 2025 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: January 29, 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