

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

R.G., Appellant))
)
and)	Docket No. 26-0017
)
DEPARTMENT OF HOMELAND SECURITY, U.S. IMMIGRATION AND CUSTOMS ENFORCEMENT, HOMELAND SECURITY INVESTIGATIONS, Harlingen, TX, Employer)	Issued: January 14, 2026
)
)

Appearances:

Appellant, pro se

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

VALERIE D. EVANS-HARRELL, Alternate Judge

On October 9, 2025 appellant filed a timely appeal from a September 22, 2025 merit decision of the Office of Workers' Compensation Programs (OWCP). The Clerk of the Appellate Boards docketed the appeal as No. 26-0017.¹

On November 8, 2024 appellant, then a 52-year-old general inspection, investigation, and compliance officer, filed a traumatic injury claim (Form CA-1) alleging that on November 7, 2024 she injured her lower back and legs when she carried a large chest full of ice and bottled drinks

¹ The Board notes that, following the September 22, 2025 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.*

weighing 60 to 80 pounds while in the performance of duty.² She did not stop work. OWCP accepted the claim for lumbar intervertebral disc displacement and lumbar radiculopathy.

On June 2, 2025 appellant filed a claim for compensation (Form CA-7) requesting a schedule award.

By decision dated September 22, 2025, OWCP granted appellant a schedule award for two percent permanent impairment of the right lower extremity and two 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 when correct adjudication of the issues depends on frequent cross-referencing between files, including when similar conditions are claimed in such cases.³ This allows OWCP to consider all relevant claim files in developing a given claim.⁴ Appellant's claims under OWCP File Nos. xxxxxx298, xxxxxx073, and xxxxxx705 also involved the lower back and lower extremities, and should therefore be administratively combined with the present claim, OWCP File No. xxxxxx995 for a full and fair adjudication.⁵ This will allow OWCP to consider all relevant reports and accompanying evidence in developing appellant's schedule award claim.⁶

The Board shall, therefore, remand the case for OWCP to administratively combine OWCP File Nos. xxxxxx995, xxxxxx298, xxxxxx073, and xxxxxx705. Following this and other such further development as deemed necessary, OWCP shall issue a *de novo* decision. Accordingly,

² OWCP assigned the present claim OWCP File No. xxxxxx995. Appellant previously filed CA-1 forms for: an April 26, 2007 injury, which OWCP accepted for lumbosacral radiculitis under OWCP File No. xxxxxx298; a November 22, 2011 injury, which OWCP accepted for displacement of lumbar intervertebral disc without myelopathy and thoracic or lumbosacral neuritis or radiculitis under OWCP File No. xxxxxx073; and a June 2, 2016 injury which OWCP accepted for lumbar sprain under OWCP File No. xxxxxx705. Appellant's claims have not been administratively combined by OWCP.

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

⁴ *Id.*

⁵ See *Order Remanding Case, C.B.*, Docket No. 25-0603 (issued July 3, 2025); *Order Remanding Case, J.L.*, Docket No. 24-0785 (issued November 1, 2024); *Order Remanding Case, M.T.*, Docket No. 24-0753 (issued September 23, 2024); *Order Remanding Case, K.W.*, Docket No. 22-1258 (issued March 14, 2023).

⁶ *Id.* See also *K.G.*, Docket No. 21-0068 (issued July 29, 2022); *D.J.*, Docket No. 20-0997 (issued November 20, 2020); *S.D.*, Docket No. 19-0590 (issued August 28, 2020).

IT IS HEREBY ORDERED THAT the September 22, 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 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