

B.T., Appellant

and

**U.S. POSTAL SERVICE, OAKLAND
PROCESSING & DISTRIBUTION CENTER,
Oakland, CA, Employer**

Case Submitted on the Record

ORDER REMANDING CASE

Before:

ALEC J. KOROMILAS, Chief Judge
 JANICE B. ASKIN, Judge
 VALERIE D. EVANS-HARRELL, Alternate Judge

On March 20, 2026 appellant filed a timely appeal from a September 25, 2025 merit decision of the Office of Workers' Compensation Programs (OWCP).¹ The Clerk of the Appellate Boards docketed the appeal as No. 26-0391.²

On June 30, 2024 appellant, then a 64-year-old mail handler, filed a traumatic injury claim (Form CA-1) alleging that on May 23, 2024 he injured his lower back and left foot while in the performance of duty. He explained that a postal supervisor, K.F., struck his mail transport

¹ Appellant timely requested for oral argument before the Board. 20 C.F.R. § 501.5(b). Pursuant to the Board's *Rules of Procedure*, oral argument may be held in the discretion of the Board. 20 C.F.R. § 501.5(a). In support of his request for oral argument appellant contended that OWCP was grossly negligent in the development of his claim. The Board, in exercising its discretion, denies appellant's request for oral argument because the arguments on appeal can adequately be addressed in a decision based on review of the case record. Oral argument in this appeal would further delay issuance of a Board decision and not serve a useful purpose. As such, the oral argument request is denied, and this decision is based on the case record as submitted to the Board.

² The Board notes that, following the September 25, 2025 decision, appellant submitted additional evidence to OWCP. 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.*

equipment (MTE) with an over-the-road (OTR) container, lifting him off his feet and compressing him between his MTE and other OTRs.³ On the reverse side of the claim form, J.G., appellant's supervisor, indicated that appellant was injured in the performance of duty. Appellant stopped work on May 23, 2024.

Appellant submitted medical evidence in support of his claim.

By decision dated September 9, 2024, OWCP denied appellant's claim, finding that the medical evidence of record was insufficient to establish causal relationship between appellant's diagnosed condition(s) and the accepted May 23, 2024 employment incident.

On September 9, 2025 appellant requested reconsideration and submitted additional evidence.

By decision dated September 25, 2025, OWCP denied modification of the September 9, 2024 decision.

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.⁴ 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.⁵ Appellant's claims under OWCP File Nos. xxxxxx454, xxxxxx123, xxxxxx824, and xxxxxx578 also involved left lower extremity and back injuries and should, therefore, be administratively combined with the present claim for a full and fair adjudication.⁶ As the Board is unable to review evidence found in OWCP File Nos. xxxxxx454, xxxxxx123, xxxxxx824, and xxxxxx578 it is not in a position to make an informed decision regarding appellant's claim.⁷

³ OWCP assigned the present claim OWCP File No. xxxxxx274. Under OWCP File No. xxxxxx454, appellant filed a Form CA-1 alleging that on September 22, 2023 he developed lower back spasms. On January 4, 2024 OWCP denied this claim. Under OWCP File No. xxxxxx123, appellant filed a Form CA-1 alleging that on April 22, 2024 he sustained lower back spasms. OWCP denied this claim on August 5, 2024. Appellant subsequently filed a Form CA-1 claim alleging that on August 3, 2024 he was forced to evade a string of mail carts resulting in a left foot injury in OWCP File No. xxxxxx824. OWCP denied this claim on July 29, 2025. Under OWCP File No. xxxxxx578, appellant filed a Form CA-1 alleging that on May 18, 2025 he injured his lower back when an elevator plunged and came to a violent halt. OWCP denied this claim on August 27, 2025. It has not administratively combined these claims.

⁴ Federal (FECA) Procedure Manual, Part 2 -- Claims, *File Maintenance and Management*, Chapter 2.400.8c (February 2000).

⁵ *Id.*; *L.G.*, Docket No. 18-1676 (issued August 22, 2019); *D.L.*, Docket No. 17-1588 (issued January 28, 2019).

⁶ *See C.Y.*, Docket No. 20-1079 (issued December 7, 2020); *L.G.*, *id.*; *K.T.*, Docket No. 17-0432 (issued August 17, 2018).

⁷ *See L.H.*, Docket No. 17-1960 (issued August 16, 2018); *K.P.*, Docket No. 15-1945 (issued February 10, 2016); *M.C.*, Docket No. 15-1706 (issued October 22, 2015).

The case shall, therefore, be remanded for OWCP to administratively combine OWCP File Nos. xxxxxx454, xxxxxx123, xxxxxx824, and xxxxxx578 with the present claim, OWCP File No. xxxxxx274. Following this and other such further development as deemed necessary, OWCP shall issue a *de novo* decision. Accordingly,

IT IS HEREBY ORDERED THAT the September 25, 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: July 2, 2026
Washington, DC

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

Janice B. Askin, Judge
Employees' Compensation Appeals Board

Valerie D. Evans-Harrell, Alternate Judge
Employees' Compensation Appeals Board