

¹ 5 U.S.C. § 8101 *et seq.*

COVID-19 as a result of factors of her federal employment.² She explained that she worked in areas of a port of entry that included primary, secondary, and pedestrian zones in close contact with coworkers and the traveling public. Appellant noted that she first became aware of her condition and realized its relation to her federal employment on September 27, 2025. She stopped work on that day.

In a medical note dated September 30, 2025, Oscar Chavez, a nurse practitioner, indicated that appellant was unable to work from September 30 through October 5, 2025. He attached a test result of even date, indicating that she had tested positive for COVID-19.

In a statement dated October 1, 2025, appellant noted that between September 23 and 27, 2025, her assigned job duties included overseeing the processing of travelers, baggage, cargo, and vehicles, which required her to collaborate daily with supervisors, officers, and members of the traveling public, some of whom may be carrying communicable diseases. On September 27, 2025, she experienced a mild cough, irritation of the eyes and throat, and fatigue. Appellant self-administered a COVID-19 test on September 28, 2025, which yielded a positive result. She indicated that she resided with her daughter and son, neither of whom were infected with COVID-19. Appellant related that she spoke with several coworkers who indicated that they had also tested positive for COVID-19.

OWCP also received the employing establishment's medical standards policy and a position description for supervisory customs and border protection officer (first line point of entry).

In a development letter dated October 7, 2025, OWCP informed appellant of the deficiencies of her claim. It advised her of the type of factual and medical evidence needed and provided a questionnaire for her completion. OWCP afforded appellant 60 days to respond.

OWCP subsequently received an employing establishment position description for supervisory customs and border protection (second line point of entry).

In a follow-up letter dated November 10, 2025, OWCP advised appellant that it had conducted an interim review, and the evidence remained insufficient to establish her claim. It noted that she had 60 days from the October 7, 2025 letter to submit the necessary evidence. OWCP further advised that if the evidence was not received during this time, it would issue a decision based on the evidence contained in the record.

In an undated narrative report, Dr. Alidad Zadeh, an osteopathic internal medicine physician, noted that appellant was evaluated in his office on September 30, 2025 and tested positive for COVID-19. He indicated that the onset of her symptoms was consistent with an active viral respiratory infection, which was later confirmed through diagnostic testing. Dr. Zadeh noted that appellant's job duties included direct and prolonged contact with travelers, coworkers, and the public in controlled port of entry environments, which inherently increased her risk of exposure to contagious respiratory pathogens, including COVID-19. He opined that it was reasonable and

² OWCP assigned the present case OWCP File No. xxxxxx170. Appellant previously filed a March 12, 2021 traumatic injury claim (Form CA-1), which OWCP accepted for adverse effect of other viral vaccine (COVID-19) under OWCP File No. xxxxxx115. She also filed CA-1 forms for an October 16, 2021 COVID-19 infection, which OWCP assigned OWCP File No. xxxxxx107, and a November 11, 2023 COVID-19 infection, which OWCP accepted for novel coronavirus (COVID-19) under OWCP File No. xxxxxx872. OWCP has not administratively combined appellant's claims.

medically probable that she contracted COVID-19 during the performance of her work duties. Dr. Zadeh explained that the nature of her job duties placed her within the environment where viral transmission risk was significantly elevated compared with the general public.

In a development letter dated December 9, 2025, OWCP requested that the employing establishment provide information regarding appellant's claim, including comments from a knowledgeable supervisor. It afforded the employing establishment 30 days to respond.

In a letter dated December 23, 2025, A.L., an employing establishment watch commander, indicated that appellant's job duties included conducting walkthroughs of all areas within a port of entry and interacting with staff and members of the traveling public. He noted that he never observed her utilizing gloves or a mask during a walkthrough. A.L. indicated that he was not aware of any passengers, members of the public, or appellant's colleagues who had tested positive for COVID-19.

By decision dated January 8, 2026, OWCP accepted that the implicated employment factors had occurred, as alleged, and that a medical condition had been diagnosed. It denied the claim, however, finding the medical evidence of record was insufficient to establish that her diagnosed COVID-19 condition was causally related to the accepted employment exposure.

On January 30, 2026 appellant requested reconsideration. In support thereof, she submitted a statement which indicated that on September 23, 2025 she had lunch with K.L, an employing establishment chief, who later informed her that he was recovering from COVID-19 at the same time that her symptoms began. Appellant related that she experienced symptoms of COVID-19 four days after her interaction with K.L. She also indicated that another supervisor, I.M., and staff members contracted COVID-19 during the same time period.

By decision dated February 24, 2026, OWCP denied appellant's request for reconsideration of the merits of her claim, pursuant to 5 U.S.C. § 8128(a).

LEGAL PRECEDENT – ISSUE 1

An employee seeking benefits under FECA³ has the burden of proof to establish the essential elements of his or her claim, including that the individual is an employee of the United States within the meaning of FECA, that the claim was timely filed within the applicable time limitation of FECA,⁴ that an injury was sustained in the performance of duty as alleged, and that any disability or medical condition for which compensation is claimed is causally related to the employment injury.⁵ These are the essential elements of each and every compensation claim, regardless of whether the claim is predicated upon a traumatic injury or an occupational disease.⁶

³ *Supra* note 1.

⁴ *F.H.*, Docket No. 18-0869 (issued January 29, 2020); *J.P.*, Docket No. 19-0129 (issued April 26, 2019); *Joe D. Cameron*, 41 ECAB 153 (1989).

⁵ *L.C.*, Docket No. 19-1301 (issued January 29, 2020); *J.H.*, Docket No. 18-1637 (issued January 29, 2020); *James E. Chadden, Sr.*, 40 ECAB 312 (1988).

⁶ *P.A.*, Docket No. 18-0559 (issued January 29, 2020); *K.M.*, Docket No. 15-1660 (issued September 16, 2016); *Delores C. Ellyett*, 41 ECAB 992 (1990).

To establish a claim for COVID-19 diagnosed after January 27, 2023, a claimant must provide: (1) evidence of a COVID-19 diagnosis; (2) evidence that establishes the claimant actually experienced the employment incident(s) or factor(s) alleged to have occurred; (3) evidence that the alleged incident(s) or factor(s) occurred while in the performance of duty; and (4) evidence that the COVID-19 condition is found by a physician to be causally related to the accepted employment incident(s) or factor(s). A rationalized medical report establishing a causal link between a diagnosis of COVID-19 and the accepted employment incident(s)/factor(s) is required in all claims for COVID-19 diagnosed after January 27, 2023.⁷

ANALYSIS -- ISSUE 1

The Board finds that appellant has met her burden of proof to establish a diagnosis of COVID-19 causally related to the accepted employment exposure.

In support of her claim, appellant submitted a report from Dr. Zadeh, who indicated that she was treated in his office after she tested positive for COVID-19 on September 30, 2025. Dr. Zadeh opined that her COVID-19 diagnosis was due to contact with and exposure from direct prolonged interaction with travelers, coworkers, and the public in her workplace. He explained that the nature of her job duties placed her within an environment where viral transmission risk was significantly elevated compared with the general public. Dr. Zadeh's report, therefore, establishes a causal link between a diagnosis of COVID-19 and the accepted employment exposure.⁸

As the medical evidence of record is sufficient to establish causal relationship between appellant's diagnosis of COVID-19 and the accepted employment exposure, the Board finds that appellant has met her burden of proof.⁹ The case shall, therefore, be remanded for payment of medical expenses and any attendant disability.¹⁰

CONCLUSION

The Board finds that appellant has met her burden of proof to establish a diagnosis of COVID-19 causally related to the accepted employment exposure.

⁷ FECA Bulletin No. 23-02 (issued December 15, 2022). In accordance with the Congressional intent to end the specialized treatment of COVID-19 claims for Federal workers' compensation under section 4016 of the American Rescue Plan Act (ARPA) of 2021, Public Law 117-2 (March 11, 2021), OWCP issued FECA Bulletin No. 23-02, which updated its procedures for processing claims for COVID-19 diagnosed after January 27, 2023.

⁸ See *S.K.*, Docket No. 24-0191 (issued September 23, 2024) (The Board noted the unique nature of COVID-19 as a highly contagious, airborne disease. As such, the Board recognized that a medical opinion containing a pathophysiological explanation may be difficult to obtain under these circumstances); see also FECA Bulletin No. 23-02 (issued December 15, 2022).

⁹ *Id.*; see generally *D.M. (T.M.)*, Docket No. 19-0358 (issued March 19, 2020).

¹⁰ In light of the Board's disposition of Issue 1, Issue 2 is rendered moot.

ORDER

IT IS HEREBY ORDERED THAT the January 8, 2026 decision of the Office of Workers' Compensation Programs is reversed, and the case is remanded for further proceedings consistent with this decision of the Board. The February 24, 2026 decision of the Office of the Workers' Compensation Programs is set aside as moot.

Issued: June 17, 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