

ISSUE

The issue is whether appellant has met her burden of proof to establish a recurrence of disability from work for the period October 23, 2021 through April 22, 2022, causally related to her accepted employment injury.

FACTUAL HISTORY

On January 27, 2020 appellant, then a 40-year-old mail handler, filed an occupational disease claim (Form CA-2) alleging that she sustained left and right hand, wrist, finger, and forearm injuries due to factors of her federal employment as she was forced to work outside her “reassignment offer.” Appellant first became aware of her condition on September 10, 2018, and realized its relationship to her federal employment on September 11, 2018. OWCP assigned the claim File No. xxxxxx128 and accepted the conditions of right trigger thumb; synovitis and tenosynovitis, right hand; right-hand carpal tunnel syndrome; lesion of ulnar nerve, right upper limb; and other disturbances of skin sensation.⁴

In a November 18, 2019 report, appellant’s treating physician Dr. Jay Reinsma, a Board-certified family practitioner, related that appellant was provided with permanent restrictions of lifting up to 25 pounds occasionally -- up to three hours per day; push/pull up to 25 pounds occasionally -- up to three hours per day; grip/squeeze/pinch with left upper extremity occasionally up to three hours per day; may grip/squeeze/pinch with right upper extremity occasionally -- up to three hours per day.

On January 10, 2020, the employing establishment offered and appellant accepted a full-time modified assignment for “Re-wrap/containerize Loose Mail/Outbound Roller Tables” which involved lifting up to 25 pounds occasionally up to three hours a day; pushing/pulling up to 25 pounds occasionally up to three hours a day; and gripping/squeezing/pinching with right and left upper extremities up to three hours a day. The duties of the modified assignment were to place all loose magazines into flat tubs inside all-purpose containers two hours a day; outbound roller tables opening sacks for one hour a day; scanning where needed for one hour a day; and re-wrap first aid any mail requiring minor repairs for four hours a day. Appellant returned to modified duty on January 11, 2020 and worked in such position until she stopped work on October 3, 2021.

In a June 27, 2020 duty status report (Form CA-17), Dr. Reinsma released appellant to previous permanent restrictions of lifting/carrying and pushing/pulling no more than 25 pounds for three hours a day and simple grasping and fine manipulation for no more than three hours per day.

In an October 28, 2021 report, Dr. Reinsma set forth physical examination findings and diagnosed cubital tunnel syndrome on right, other synovitis or tenosynovitis of right hand, history of carpal tunnel surgery of right wrist, and dysesthesia. He noted that appellant had been working

⁴ Under File No. xxxxxx678, OWCP previously accepted appellant’s January 3, 2006 occupational disease claim (Form CA-2) for tenosynovitis of right hand and wrist; and right carpal tunnel syndrome. OWCP administratively combined OWCP File Nos. xxxxxx678 and xxxxxx128, with the latter designated as the master file. Under OWCP File No. xxxxxx678, the record reflects that OWCP paid appellant intermittent wage-loss compensation on the supplemental rolls, with the last payment covering the period January 19 through February 1, 2019. She returned to work on or about February 4, 2019.

modified duty and she reported an aggravation of right-hand pain and numbness to the 4th and 5th fingers, as well as her previous trigger thumb, because “work was not following her restrictions.” Dr. Reinsma opined that it appeared that current job of “rewrap for four hours” had aggravated her previous conditions. He indicated that if appellant continued her previous restrictions of gripping and squeezing to no more than three hours, she would get back to her previous baseline. In an October 28, 2021 work activity status report, Dr. Reinsma reiterated that appellant could work a full eight-hour shift, but not regular duty, and was limited to only three hours of the shift with lifting 25 pounds, no more than three hours of push/pull 25 pounds and no more than three hours of grip squeeze, but not sequentially.

In a November 2, 2021 letter, the employing establishment indicated that it was appellant’s responsibility to stay within her restrictions. It stated that there have been no changes in appellant’s restrictions or her modified assignment.

Appellant filed claims for compensation (Form CA-7) for total disability from work for the period October 23, 2021 through April 22, 2022.⁵

In development letters, OWCP informed appellant of the deficiencies of her claim for compensation for disability from work for the period October 23 through April 22, 2022 and advised her of the type of medical evidence needed to establish her claim. It indicated that the duties and physical requirements of the January 10, 2020 temporary light-duty assignment provided during the claimed period were medically suitable and appropriately accommodated her work restrictions as provided by Dr. Reinsma in his June 27, 2020 and October 28, 2021 reports. OWCP also found the “temporary light-duty assignment” was available to appellant during the claimed period. Appellant was afforded 30 days to submit the necessary evidence.

In response, appellant submitted statements dated January 11 and 28, 2025. In her January 11, 2025 statement, she related that the January 10, 2020 job offer was not within her medical restrictions, but she accepted the offer “as instructed by OWCP determination.” In her January 28, 2025 statement, she stated that she returned to work on April 23, 2022 as a custodian.⁶

By decision dated March 6, 2025, OWCP denied appellant’s claim for compensation for a recurrence of disability from work for the period October 23, 2021 through April 22, 2022, finding that the evidence contemporaneous with the period claimed established that there were stable and valid medical work restrictions in place, a light-duty assignment within those restrictions was available, and appellant was previously notified in writing that such light duty was available to her.

⁵ On October 13 and 15, 2021 appellant filed claims for compensation (Form CA-7) for total disability from work for the period October 3 through 8, 2021 and October 9 through 15, 2021, respectively. In an October 8, 2021 statement, she contended that the January 10, 2020 job offer was improper as it failed to indicate the actual physical requirements of the position, and it was not within her medical restrictions. OWCP has not issued a formal decision on appellant’s claims for disability from work for the period October 3 through 15, 2021.

⁶ In a March 25, 2022 letter, the employing establishment indicated that appellant had accepted a custodial position.

On March 18, 2025 appellant, through counsel, requested an oral hearing before a representative of OWCP's Branch of Hearings and Review. A hearing was held August 7, 2025.⁷

In a September 2, 2025 letter, the employing establishment indicated that appellant's permanent restrictions had not changed from November 18, 2019. It also noted that while appellant was claiming wage-loss compensation from October 23, 2021 through April 22, 2022, she had received a schedule award from February 28 through April 22, 2022; therefore, no compensation was due during that time frame.

By decision dated September 23, 2025, OWCP's hearing representative affirmed the March 6, 2025 OWCP decision.

LEGAL PRECEDENT

An employee seeking benefits under FECA has the burden of proof to establish the essential elements of his or her claim by the weight of the evidence, including that any disability or specific condition for which compensation is claimed is causally related to the employment injury.⁸ For each period of disability claimed, the employee has the burden of proof to establish that he or she was disabled from work as a result of the accepted employment injury.⁹ Whether a particular injury causes an employee to become disabled from work, and the duration of that disability, are medical issues that must be proven by a preponderance of probative and reliable medical opinion evidence.¹⁰

A recurrence of disability means an inability to work after an employee has returned to work, caused by a spontaneous change in a medical condition that had resulted from a previous injury or illness without an intervening injury or new exposure to the work environment that caused the illness. The term also means an inability to work when a light-duty assignment made specifically to accommodate an employee's physical limitations due to the work-related injury or illness is withdrawn (except when such withdrawal occurs for reasons of misconduct, nonperformance of job duties or a reduction-in-force), or when the physical requirements of such an assignment are altered so that they exceed his or her established physical limitations.¹¹ If the claim for recurrence of disability for work is based on modification of the claimant's duties or physical requirements of the job, the claimant should be asked to describe such changes. If the

⁷ OWCP subsequently received a Form CA-7 for wage-loss compensation for the period October 9, 2021 through April 22, 2022. By letter dated July 3, 2025, it advised appellant that her claim for the same period was previously denied by decision dated March 6, 2025.

⁸ See *C.B.*, Docket No. 20-0629 (issued May 26, 2021); *D.S.*, Docket No. 20-0638 (issued November 17, 2020); *B.O.*, Docket No. 19-0392 (issued July 12, 2019); *D.W.*, Docket No. 18-0644 (issued November 15, 2018); *Kathryn Haggerty*, 45 ECAB 383 (1994); *Elaine Pendleton*, 40 ECAB 1143 (1989).

⁹ *Id.*

¹⁰ 20 C.F.R. § 10.5(f); *B.O.*, *supra* note 10; *N.M.*, Docket No. 18-0939 (issued December 6, 2018).

¹¹ 20 C.F.R. § 10.5(x); *D.T.*, Docket No. 19-1064 (issued February 20, 2020).

evidence establishes that the limited-duty position has changed such that it no longer accommodates the claimant's work restrictions, OWCP should accept the recurrence.¹²

An employee who claims a recurrence of disability due to an accepted employment-related injury has the burden of proof to establish by the weight of the substantial, reliable, and probative evidence that the disability for which he or she claims compensation is causally related to the accepted injury. This burden of proof requires that a claimant furnish medical evidence from a physician who, based on a complete and accurate factual and medical history, concludes that, for each period of disability claimed, the disabling condition is causally related to the employment injury, and supports that conclusion with medical reasoning.¹³ Where no such rationale is present, the medical evidence is of diminished probative value.¹⁴

ANALYSIS

The Board finds that appellant has met her burden of proof to establish a recurrence of disability from work for the period October 23, 2021 through April 22, 2022, causally related to her accepted employment injury.

On January 10, 2020, the employing establishment offered and appellant accepted a full-time modified assignment for "Re-wrap/containerize Loose Mail/Outbound Roller Tables." She worked in that modified assignment until October 3, 2021, when she stopped work. Appellant filed Form CA-7s claim for disability from work for the period October 23, 2021 through April 22, 2022.

In support of her recurrence claim, appellant submitted medical reports from Dr. Reinsma dated November 18, 2019 through October 28, 2021, which noted her permanent restrictions of lifting up to 25 pounds no more than three hours a day, pushing/pulling up to 25 pounds no more than three hours a day, and gripping/squeezing/pinching of both upper extremities no more than three hours per day. In the October 28, 2021 report, Dr. Reinsma set forth physical examination findings and opined that it appeared that appellant's current job of "re-wrap for four hours" had aggravated her previous condition, noting that she would get back to her previous baseline if she continued her previous restrictions of gripping and squeezing to no more than three hours.

In his reports, Dr. Reinsma specifically opined that appellant was limited to only three hours of the shift for gripping/squeezing/pinching of both upper extremities. The January 10, 2020 modified-duty job offer, which noted Dr. Reinsma's restrictions, included rewrap duties for four hours a day. The January 10, 2020 modified-duty offer was, on its face, not compatible with her medical restriction of gripping/squeezing/pinching of both upper extremities for only three hours of the shift.¹⁵ OWCP regulations provide that an employee is not entitled to compensation for any

¹² Federal (FECA) Procedure Manual, Part 2 -- Claims, *Recurrences*, Chapter 2.1500.6.a(3) (June 2013); *J.T.*, Docket No. 15-1133 (issued December 21, 2015).

¹³ 20 C.F.R. § 10.5(x); Federal (FECA) Procedure Manual, Part 2 -- Claims, *Recurrences*, Chapter 2.1500.2b (June 2013); *J.D.*, Docket No. 18-1533 (issued February 27, 2019); *L.B.*, Docket No. 18-0533 (issued August 27, 2018).

¹⁴ See *P.P.*, Docket No. 25-0904 (issued January 21, 2026); *M.T.*, Docket No. 25-0180 (issued January 25, 2025); *H.T.*, Docket No. 17-0209 (issued February 8, 2018).

¹⁵ *T.P.*, Docket No. 17-0423 (issued December 20, 2017).

wage loss to the extent that evidence establishes that an employee had medical restrictions in place, that light duty within those work restrictions was available, and that the employee was previously notified in writing that such duty was available.¹⁶ Thus, as appellant was not provided with work within her prescribed medical restrictions, she is entitled to wage-loss compensation for the period claimed from October 23, 2021 through April 22, 2022.¹⁷

CONCLUSION

The Board finds that appellant has met her burden of proof to establish a recurrence of disability from work for the periods October 23, 2021 through April 22, 2022, causally related to her accepted employment injury.

ORDER

IT IS HEREBY ORDERED THAT the September 23, 2025 decision of the Office of Workers' Compensation Programs is reversed.

Issued: March 24, 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

¹⁶ 20 C.F.R. § 10.500(a); *id.*

¹⁷ *Supra* note 14.