



## **FACTUAL HISTORY**

On September 19, 2025 appellant, then a 53-year-old child development program technician, filed a traumatic injury claim (Form CA-1) alleging that on that date she injured her left wrist while in the performance of duty. She explained that a child had quickly approached her for a hug and bumped into her left wrist, bending it inward. On the reverse side of the claim form, the employing establishment acknowledged that the injury occurred in the performance of duty. Appellant stopped work on the date of injury and returned to work on September 22, 2025.

In a letter dated September 29, 2025, the employing establishment controverted the claim, noting that there were no medical records or witness statements to support the claim.

In a September 29, 2025 development letter, OWCP informed appellant of the deficiencies of her claim. It advised her of the type of factual and medical evidence needed to establish her claim and provided a questionnaire for her completion. OWCP specifically requested that appellant provide further details clarifying how her injury actually occurred. It also requested that she respond to the concerns raised by the employing establishment in the controvert of her claim. OWCP afforded appellant 60 days to submit the necessary evidence. No additional evidence was received.

In a follow-up development letter dated October 28, 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 September 29, 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.

OWCP subsequently received an x-ray of the left wrist dated September 19, 2025, which noted a history of “child fell on the patient’s wrist” and demonstrated soft-tissue edema without visualized fracture.

In an attending physician’s report dated October 28, 2025, Stacey Duncan, a physician assistant, related that on September 19, 2025, “a child fell onto [appellant’s] wrist causing hyperflexion of wrist.” She diagnosed resolved left wrist sprain and opined that the condition was caused by the September 19, 2025 employment incident, which caused hyperflexion of the left wrist.

By decision dated December 8, 2025, OWCP denied appellant’s traumatic injury claim, finding that the evidence of record was insufficient to establish that the September 19, 2025 employment incident occurred in the performance of duty as alleged. Therefore, it concluded that the requirements had not been met to establish an injury as defined by FECA.

## **LEGAL PRECEDENT**

An employee seeking benefits under FECA<sup>3</sup> 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

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<sup>3</sup> *Supra* note 1.

States within the meaning of FECA, that the claim was timely filed within the applicable time limitation of FECA,<sup>4</sup> 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.<sup>5</sup> 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.<sup>6</sup>

To determine whether a federal employee has sustained a traumatic injury in the performance of duty, it first must be determined whether fact of injury has been established. There are two components involved in establishing fact of injury. The first component is that the employee must submit sufficient evidence to establish that he or she actually experienced the employment incident at the time and place, and in the manner alleged. The second component is whether the employment incident caused an injury and can be established only by medical evidence.<sup>7</sup>

To establish that, an injury occurred as alleged, the injury need not be confirmed by eyewitnesses, but the employee's statements must be consistent with the surrounding facts and circumstances and his or her subsequent course of action. The employee has not met his or her burden when there are such inconsistencies in the evidence as to cast serious doubt on the validity of the claim. Such circumstances as late notification of injury, lack of confirmation of injury, continuing to work without apparent difficulty following the alleged injury, and failure to obtain medical treatment may, if otherwise unexplained, cast serious doubt on the employee's statements in determining whether a *prima facie* case has been established.<sup>8</sup>

### ANALYSIS

The Board finds that appellant has not met her burden of proof to establish a traumatic incident in the performance of duty on September 19, 2025, as alleged.

In her Form CA-1, appellant indicated that on September 19, 2025 she injured her left wrist when a child bumped into it, bending it inward, while in the performance of duty. In a letter dated September 29, 2025, the employing establishment controverted the claim, contending that there were no medical records or witness statements to support the claim.

In September 29 and October 28, 2025 development letters, OWCP informed appellant of the deficiencies of her claim and provided a questionnaire for her completion. It specifically

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<sup>4</sup> *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).

<sup>5</sup> *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).

<sup>6</sup> *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).

<sup>7</sup> *T.H.*, Docket No. 19-0599 (issued January 28, 2020); *K.L.*, Docket No. 18-1029 (issued January 9, 2019); *John J. Carlone*, 41 ECAB 354 (1989).

<sup>8</sup> *C.M.*, Docket No. 20-1519 (issued March 22, 2021); *Betty J. Smith*, 54 ECAB 174 (2002).

requested that she provide further details clarifying how her injury actually occurred. OWCP also requested that appellant respond to the concerns raised by the employing establishment in the controvert of her claim. It subsequently received medical evidence, including an x-ray of the left wrist dated September 19, 2025 and a Form CA-20 by Ms. Duncan, which both indicated that a child “fell” onto appellant’s left wrist. Appellant did not respond to OWCP’s development questionnaire, nor did she otherwise provide clarification regarding how her injury actually occurred or respond to the concerns raised by the employing establishment in its controversion of her claim.

The Board finds that there are sufficient inconsistencies in the evidence of record to find that appellant has not established the occurrence of the claimed September 19, 2025 employment incident. Specifically, the description of the injury on her Form CA-1 differed from how the injury was described in the medical evidence submitted. As there are inconsistencies in the evidence of record sufficient to cast serious doubt on validity of appellant’s claim, the Board finds that she has not met her burden of proof.<sup>9</sup> Consequently, it is unnecessary to address the medical evidence of record.<sup>10</sup>

Appellant may submit new evidence or argument with a written request for reconsideration to OWCP within one year of this merit decision, pursuant to 5 U.S.C. § 8128(a) and 20 C.F.R. §§ 10.605 through 10.607.

### **CONCLUSION**

The Board finds that appellant has not met her burden of proof to establish a traumatic incident in the performance of duty on September 19, 2025, as alleged.

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<sup>9</sup> *S.R.*, Docket No. 25-0117 (issued February 3, 2025); *J.P.*, Docket No. 18-0190 (issued May 22, 2018).

<sup>10</sup> *S.R.*, *id.*; *see also M.P.*, Docket No. 15-0952 (issued July 23, 2015); *Alvin V. Gadd*, 57 ECAB 172 (2005).

**ORDER**

**IT IS HEREBY ORDERED THAT** the December 8, 2025 decision of the Office of Workers' Compensation Programs is affirmed.

Issued: May 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