United States Department of Labor
Employees' Compensation Appeals Board

D.O., Appellant	)	
and	)	**Docket No. 26-0559**
	)	**Issued: October 22, 2026**
U.S. POSTAL SERVICE, POST OFFICE, Cleveland, OH, Employer	)	

Appearances:
Alan J. Shapiro, Esq., for the appellant[1]
Office of Solicitor, for the Director

Case Submitted on the Record

ORDER REMANDING CASE

Before:
PATRICIA H. FITZGERALD, Deputy Chief Judge
JANICE B. ASKIN, Judge
VALERIE D. EVANS-HARRELL, Alternate Judge

On June 3, 2026 appellant, through counsel, filed a timely appeal from a May 26, 2026 merit decision of the Office of Workers' Compensation Programs (OWCP). The Clerk of the Appellate Boards docketed the appeal as No. 26-0559.

On February 27, 2025 appellant, then a 54-year-old city carrier, filed an occupational disease claim (Form CA-2) alleging that she developed a right rotator cuff and tendon tear due to factors of her federal employment, including repetitive lifting, reaching, carrying a bag on her shoulder daily at work, and the overuse and repetitive motion of her shoulder. She noted that she first became aware of her condition on September 10, 2024, and realized its relation to her federal employment on February 14, 2025.[2]

[1] In all cases in which a representative has been authorized in a matter before the Board, no claim for a fee for legal or other service performed on appeal before the Board is valid unless approved by the Board. 20 C.F.R. § 501.9(e). No contract for a stipulated fee or on a contingent fee basis will be approved by the Board. *Id.* An attorney or representative's collection of a fee without the Board's approval may constitute a misdemeanor, subject to fine or imprisonment for up to one year or both. *Id.*; *see also* 18 U.S.C. § 292. Demands for payment of fees to a representative, prior to approval by the Board, may be reported to appropriate authorities for investigation.

[2] OWCP assigned the present claim OWCP File No. xxxxxx400. Appellant subsequently filed a traumatic injury claim (Form CA-1) under OWCP File No. xxxxxx387 alleging that, on June 14, 2025, she sustained a right shoulder injury when reaching to deliver mail while in the performance of duty. She also has several prior claims involving upper extremity injuries. OWCP has not administratively combined appellant's claims.

Appellant submitted medical evidence in support of her claim.

By decision dated June 6, 2025, OWCP denied appellant's claim, finding that the medical evidence of record was insufficient to establish a medical condition causally related to the accepted factors of her federal employment.

On June 10, 2025 appellant, through counsel, requested a review of the written record by a representative of OWCP's Branch of Hearings and Review.

Appellant subsequently submitted additional medical evidence in support of her claim.

By decision dated May 26, 2026, OWCP's hearing representative affirmed the June 6, 2025 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.[3] 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. Appellant's claim under OWCP File No. xxxxxx387 also involves the right shoulder. It should, therefore, be administratively combined with the present claim for a full and fair adjudication.[4] As the Board is unable to review evidence found in OWCP File No. xxxxxx387, it is not in a position to make an informed decision regarding appellant's claim.[5]

The case shall, therefore, be remanded for OWCP to administratively combine OWCP File No. xxxxxx387, and any other relevant right upper extremity claim files, with the present claim, OWCP File No. xxxxxx400. Following this and other such further development as deemed necessary, OWCP shall issue a *de novo* decision. Accordingly,

[3] Federal (FECA) Procedure Manual, Part 1 -- Mail and Files, *Case Maintenance*, Chapter 1.500.4 (version 1.2, issued May 4, 2026).

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

[5] *See Order Remanding Case*, Docket No. 26-0400 (issued July 6, 2026). *See also 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).

IT IS HEREBY ORDERED THAT the May 26, 2026 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: October 22, 2026
Washington, DC

Patricia H. Fitzgerald, Deputy Chief Judge
Employees' Compensation Appeals Board

Janice B. Askin, Judge
Employees' Compensation Appeals Board

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