United States Department of Labor
Employees' Compensation Appeals Board

T.B., Appellant	)	
and	)	**Docket No. 26-0635**
	)	**Issued: October 14, 2026**
U.S. POSTAL SERVICE, MABLETON POST OFFICE, Mableton, GA, Employer	)	

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

Case Submitted on the Record

DECISION AND ORDER

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

JURISDICTION

On June 29, 2026 appellant, through counsel, filed a timely appeal from a June 2, 2026 merit decision of the Office of Workers' Compensation Programs (OWCP). Pursuant to the Federal Employees' Compensation Act[2] (FECA) and 20 C.F.R. §§ 501.2(c) and 501.3, the Board has jurisdiction over the merits of this case.

[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] 5 U.S.C. § 8101 *et seq*.

ISSUE

The issue is whether appellant has met her burden of proof to expand the acceptance of her claim to include left bicipital tendinitis as causally related to, or consequential to, the accepted November 19, 2018 employment injury.

FACTUAL HISTORY

On November 20, 2018 appellant, then a 48-year-old city carrier assistant 1, filed a traumatic injury claim (Form CA-1) alleging that on November 19, 2018 she experienced a strain and headaches when she hit her head on the steering wheel after her vehicle was rear ended while in the performance of duty. She stopped work on November 19, 2018 and returned on November 23, 2018. OWCP accepted the claim for muscle and tendon strain of the back wall of thorax; strains of the muscle, fascia and tendons of lower back and neck; and cervical, lumbar, and lumbosacral spondylosis without myelopathy or radiculopathy. It paid appellant wage-loss compensation on the supplemental rolls from January 4 through March 29, 2019.

By decision dated March 14, 2023, OWCP expanded the acceptance of the claim to include right knee sprain.[3]

In a report dated June 11, 2025, Dr. Christopher Taylor, a Board-certified physiatrist, noted a November 19, 2018 date of injury and that appellant was currently seen for complaints of left shoulder, left-sided low back, and right knee pain. He recounted that appellant first noticed left shoulder pain following an April 2024 fall when she fractured her left ankle. Dr. Taylor noted appellant was a former mail carrier and was not working due to permanent restrictions. He reported physical examination findings of the left upper extremity included tenderness on palpation over the anterior shoulder, negative impingement and empty can signs, positive Yergason's test, and full range of motion to all planes. Dr. Taylor diagnosed left-sided lumbar facet-mediated pain, left bicipital tendinitis. He related that it appeared from reviewing appellant's medical history and current examination findings that appellant sustained a left shoulder injury due to the November 19, 2018 employment injury. Dr. Taylor opined that it was possible for a fall to lead to left bicipital tendinitis.

In a development letter dated July 21, 2025, OWCP informed appellant that the evidence of record was insufficient to support her request to expand the acceptance of her claim to include left bicipital tendinitis. It advised her as to the medical evidence required and afforded her 30 days to provide the requested evidence.

By decision dated September 3, 2025, OWCP denied expansion of the acceptance of the claim to include left bicipital tendinitis as causally related to, or consequential to, the accepted November 19, 2018 employment injury.

[3] On April 8, 2024 appellant filed a traumatic injury claim (Form CA-1) alleging that on April 3, 2024 she fell in the performance of duty and sustained a closed fracture of the left ankle. OWCP assigned File No. xxxxxx180 and accepted the claim for displaced fracture of the left lower leg, lumbosacral radiculopathy, and right knee bursitis. The present claim has not been administratively combined with File No. xxxxxx180 by OWCP.

On September 9, 2025 appellant, through counsel, requested an oral hearing before a representative of OWCP's Branch of Hearing and Review. An oral hearing was held on March 17, 2026.

By decision dated June 2, 2026, OWCP's hearing representative affirmed the September 3, 2025 decision.

LEGAL PRECEDENT

When an employee claims that a condition not accepted or approved by OWCP was due to an employment injury, he or she bears the burden of proof to establish that the condition is causally related to the employment injury.[4]

To establish causal relationship between a condition and the employment event or incident, the employee must submit rationalized medical opinion evidence based on a complete factual and medical background, supporting such a causal relationship.[5] The opinion of the physician must be one of reasonable certainty, and must explain the nature of the relationship between the diagnosed condition and the accepted employment injury.[6]

In discussing the range of compensable consequences, once the primary injury is causally connected with the employment, the question is whether compensability should be extended to a subsequent injury or aggravation related in some way to the primary injury. The basic rule is that a subsequent injury, whether an aggravation of the original injury or a new and distinct injury, is compensable if it is the direct and natural result of a compensable primary injury.[7]

ANALYSIS

The Board finds that appellant has not met her burden of proof to expand the acceptance of her claim to include left bicipital tendinitis as causally related to, or consequential to, the accepted November 19, 2018 employment injury.

In support of her expansion claim, appellant submitted a June 11, 2025 report from Dr. Taylor. In his report, Dr. Taylor related that appellant sustained a left shoulder condition due to the accepted November 19, 2018 employment injury. However, he failed to provide medical rationale for his conclusory opinion that the accepted November 19, 2018 employment injury caused a left shoulder condition. The Board has held that medical evidence that does not offer a

[4] *A.W.*, Docket No. 26-0511 (issued August 17, 2026); *N.M.,* Docket No. 26-0021 (issued March 11, 2026); *S.P.,* Docket No. 25-0669 (issued November 25, 2025); *S.L.,* Docket No. 24-0220 (issued May 15, 2024); *N.U.,* Docket No. 22-1329 (issued April 18, 2023); *J.R.,* Docket No. 20-0292 (issued June 26, 2020); *Jaja K. Asaramo,* 55 ECAB 200, 204 (2004).

[5] *A.W.*, *id.*; *S.L.*, *id.*; *B.W.,* Docket No. 21-0536 (issued March 6, 2023); *D.E.,* Docket No. 20-0936 (issued June 24, 2021); *S.L.,* Docket No. 19-0603 (issued January 28, 2020).

[6] *Id.*

[7] *See L.M.,* Docket No. 23-0605 (issued December 5, 2023); *D.L.,* Docket No. 21-0047 (issued February 22, 2023); *D.H.,* Docket Nos. 20-0041 & 20-0261 (issued February 5, 2021).

rationalized explanation by the physician of how the accepted employment factors physiologically caused or aggravated the diagnosed condition(s) is of limited probative value.[8] The Board also notes that Dr. Taylor opined that appellant developed left shoulder pain following her April 2024 fall, which led to her left shoulder bicipital tendinitis. Dr. Taylor did not explain with sufficient rationale how the accepted November 19, 2018 employment injury caused the additional diagnosis.[9] For these reasons, his June 11, 2025 report is insufficient to establish appellant's expansion claim.[10]

As the medical evidence of record is insufficient to establish expansion of the acceptance of the claim to include left bicipital tendinitis as causally related to, or consequential to, appellant's accepted November 19, 2018 employment injury, the Board finds that she has not met her burden of proof.

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 expand the acceptance of her claim to include left bicipital tendinitis as causally related to, or consequential to, the accepted November 19, 2018 employment injury.

[8] *S.E.*, Docket No. 26-0036 (issued January 29, 2026); *S.B.*, Docket No. 26-0124 (issued March 4, 2026); *D.D.*, Docket No. 25-0751 (issued August 27, 2025); *T.L.*, Docket No. 23-0073 (issued January 9, 2023); *V.D.*, Docket No. 20-0884 (issued February 12, 2021); *Y.D.*, Docket No. 16-1896 (issued February 10, 2017).

[9] *See C.B.*, Docket No. 26-0093 (issued February 23, 2026); *C.B. (S.B)*, Docket No. 19-1629 (issued April 7, 2020); *V.T.*, Docket No. 18-0881 (issued November 19, 2018); *S.E.*, Docket No. 08-2214 (issued May 6, 2009); *T.M.*, Docket No. 08-0975 (issued February 6, 2009).

[10] *C.B.*, *id.*; *J.W.*, Docket No. 25-0011 (issued November 19, 2024); *B.W.*, Docket No. 21-0536 (issued March 6, 2023); *M.M.*, Docket No. 20-1557 (issued November 3, 2021).

ORDER

IT IS HEREBY ORDERED THAT the June 2, 2026 decision of the Office of Workers' Compensation Programs is affirmed.

Issued: October 14, 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