United States Department of Labor
Employees' Compensation Appeals Board

J.S., Appellant	)	
and	)	**Docket No. 26-0641**
	)	**Issued: September 28, 2026**
U.S. POSTAL SERVICE, CITY OF INDUSTRY POST OFFICE, City of Industry, CA, Employer	)	

Appearances:
Roxann M. Gonzales, Esq., for the appellant[1]
Office of Solicitor, for the Director

Case Submitted on the Record

ORDER REMANDING CASE

Before:
ALEC J. KOROMILAS, Chief Judge
PATRICIA H. FITZGERALD, Deputy Chief Judge
VALERIE D. EVANS-HARRELL, Alternate Judge

On July 1, 2026 appellant, through counsel, filed a timely appeal from a May 11, 2026 merit decision of the Office of Workers' Compensation Programs (OWCP). The Clerk of the Appellate Boards docketed the appeal as No. 26-0641.

On August 27, 2025 appellant, then a 64-year-old city carrier, filed an occupational disease claim (Form CA-2) alleging that she sustained bilateral knee and left elbow injuries due to factors of her federal employment, including standing while casing mail, walking on uneven surfaces, entering and exiting a postal vehicle, and grasping/holding mail. She noted that she

[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.

first became aware of her claimed conditions and realized their relation to her federal employment on July 21, 2025. Appellant did not stop work.[2]

Appellant submitted an August 5, 2025 duty status report (Form CA-17) wherein Dr. Basimah Khulusi, a Board-certified physiatrist, diagnosed degenerative joint disease of the knees and recommended work restrictions.

In a development letter dated September 5, 2025, OWCP informed appellant of the deficiencies of her claim, and advised her of the type of factual and medical evidence needed. It provided a questionnaire for her completion and afforded her 60 days to respond.

On September 29, 2025 OWCP received appellant's response to its development questionnaire; the results of August 15, 2025 magnetic resonance imaging (MRI) scans of the right knee and left elbow; and an August 27, 2025 report wherein Dr. Khulusi diagnosed bilateral knee degeneration, left lateral epicondylitis, and left medial epicondylitis, and opined that appellant's work duties caused these conditions.

In a follow-up letter dated October 8, 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 5, 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 October 21, 2025 statement, appellant further described her work duties.

In a follow-up letter dated October 23, 2025, OWCP informed appellant that she had two prior claims, OWCP File Nos. xxxxxx283 and xxxxxx918, which involved the left knee. It requested that she submit a report from an attending physician regarding the cause of her claimed conditions, noting that she should ensure that the physician had "records related to both these claims to include in [their] report." OWCP again advised appellant that she had 60 days from the September 5, 2025 letter to submit the necessary evidence. No additional evidence was received.

By decision dated November 19, 2025, OWCP accepted that the employment factors occurred, as alleged. However, it denied appellant's occupational disease claim, finding that she had not submitted evidence establishing a medical condition causally related to the accepted factors of her federal employment.

Appellant subsequently submitted a September 29, 2025 report wherein Dr. Khulusi advised that she could return to work with restrictions, and a November 25, 2025 Form CA-17 wherein she recommended work restrictions for appellant.

[2] OWCP assigned the present claim OWCP File No. xxxxxx883. Under OWCP File No. xxxxxx283, it accepted a May 18, 2005 traumatic injury (Form CA-1) for sprain/strain of the left lateral collateral ligament, tear of the medial meniscus of left knee, and osteoarthritis of the left knee. Under OWCP File No. xxxxxx918, OWCP accepted a September 5, 2014 traumatic injury for internal derangement of the left knee, and tear/derangement of the medial meniscus of the left knee. OWCP has not administratively combined these claims.

On February 10, 2026 appellant requested reconsideration of her claim. In support of this request, she submitted a January 28, 2026 report wherein Dr. Khulusi discussed two of her prior claims, OWCP File Nos. xxxxxx283 and xxxxxx918, which involved the left knee. Dr. Khulusi diagnosed bilateral knee degeneration, left lateral epicondylitis, and left medial epicondylitis, and opined that appellant's work duties caused these conditions.

By decision dated May 11, 2026, OWCP denied modification of its November 19, 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.[4] Appellant's claims under OWCP File Nos. xxxxxx283 and xxxxxx918 also involved the left knee and should, therefore, be administratively combined with the present claim for a full and fair adjudication.[5] As the Board is unable to review evidence found in OWCP File Nos. xxxxxx283 and xxxxxx918, it is not in a position to make an informed decision regarding appellant's claim.[6]

The case shall, therefore, be remanded for OWCP to administratively combine OWCP File Nos. xxxxxx283 and xxxxxx918 with the present claim, OWCP File No. xxxxxx883. Following this and other such further development as deemed necessary, OWCP shall issue a *de novo* decision. Accordingly,

[3] Federal (FECA) Procedure Manual, Part 2 -- Claims, *File Maintenance and Management*, Chapter 2.400.8c (version 1.2, issued May 4, 2026).

[4] *Id.*; *Order Remanding Case, D.C.,* Docket No. 26-0400 (issued July 6, 2026); *Order Remanding Case, L.G.,* Docket No. 18-1676 (issued August 22, 2019); *Order Remanding Case, D.L.,* Docket No. 17-1588 (issued January 28, 2019).

[5] *See Order Remanding Case, V.T.,* Docket No. 26-0325 (issued June 8, 2026); *Order Remanding Case, C.Y.,* Docket No. 20-1079 (issued December 7, 2020); *Order Remanding Case, K.T.,* Docket No. 17-0432 (issued August 17, 2018).

[6] *See Order Remanding Case, B.T.,* Docket No. 26-0391 (issued July 2, 2026); *Order Remanding Case, L.H.*, Docket No. 17-1960 (issued August 16, 2018); *Order Remanding Case, 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 11, 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: September 28, 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