

U. S. DEPARTMENT OF LABOR

Employees' Compensation Appeals Board

In the Matter of RONALD COBLENTZ and DEPARTMENT OF AGRICULTURE,
NATIONAL FINANCE CENTER, New Orleans, LA

*Docket No. 98-482; Submitted on the Record;
Issued August 23, 1999*

DECISION and ORDER

Before DAVID S. GERSON, MICHAEL E. GROOM,
A. PETER KANJORSKI

The issue is whether appellant has established that he sustained an emotional condition causally related to compensable factors of his federal employment.

In the present case, appellant, a local area network (LAN) administrator, filed a claim on April 3, 1997 alleging that he sustained an employment-related stress condition. In a narrative statement, appellant alleged that in 1995 he was given two weeks to "perform the design and then get vendor equipment quotes," and then he had to install all of the equipment to support 1,500 personal computers while supervising contractors and other employees. According to appellant, after the new equipment was installed he became the LAN administrator and was required to consult with agencies, monitor the equipment, and resolve problems. Appellant further stated that on March 21, 1997 the LAN in one of the buildings went down, and he was forced to come in at 2:00 a.m. on a Sunday to work on the problem, feeling under intense pressure to resolve the problem since so many people were affected.

In a letter dated May 16, 1997, the Office of Workers' Compensation Programs requested that appellant provide additional factual and medical evidence regarding his claim.

By decision dated August 29, 1997, the Office denied the claim on the grounds that fact of injury had not been established.

The Board has reviewed the record and finds that appellant has not met his burden of proof in this case.

Appellant has the burden of establishing by the weight of the reliable, probative and substantial evidence that the condition for which he claims compensation was caused or adversely affected by factors of his federal employment.¹ To establish his claim that he

¹ Pamela R. Rice, 38 ECAB 838 (1987).

sustained an emotional condition in the performance of duty, appellant must submit: (1) factual evidence identifying employment factors or incidents alleged to have caused or contributed to his condition; (2) medical evidence establishing that he has an emotional or psychiatric disorder; and (3) rationalized medical opinion evidence establishing that the identified compensable employment factors are causally related to his emotional condition.²

Workers' compensation law does not apply to each and every injury or illness that is somehow related to an employee's employment. There are situations where an injury or illness has some connection with the employment but nevertheless does not come within the coverage of workers' compensation. These injuries occur in the course of the employment and have some kind of causal connection with it but nevertheless are not covered because they are found not to have arisen out of the employment. Disability is not covered where it results from an employee's frustration over not being permitted to work in a particular environment or to hold a particular position, or secure a promotion. On the other hand, where disability results from an employee's emotional reaction to his regular or specially assigned work duties or to a requirement imposed by the employment, the disability comes within the coverage of the Federal Employees' Compensation Act.³

With respect to the factual allegations, the Office requested that appellant provide additional description of the implicated job factors. The Board notes that appellant's burden of proof includes a detailed description of the employment factors or descriptions that appellant believes caused or adversely affected the condition for which compensation is claimed.⁴ In this case, appellant's statement was brief and there is no indication that he responded to the request for additional information. In the absence of an additional statement describing the implicated work factors, appellant has not established a compensable factor of employment.⁵

An additional deficiency in the claim is the lack of medical evidence containing an opinion on causal relationship between the implicated job duties and a diagnosed condition. The only medical evidence of record consists of a brief note dated April 3, 1997 from Dr. C.R. Searle, a family practitioner, who indicated that appellant was seen on March 21, 1997 with elevated

² See *Donna Faye Cardwell*, 41 ECAB 730 (1990).

³ *Lillian Cutler*, 28 ECAB 125 (1976).

⁴ *Anne L. Livermore*, 46 ECAB 425 (1995).

⁵ The Board notes, however, that appellant did appear to discuss his actual work duties, such as the procurement and installation of equipment, as well as supervising employees and fixing equipment failures. A sufficient description of specific work duties could constitute compensable factors of employment if substantiated by the record.

blood pressure and stress reduction was recommended. In the absence of a reasoned medical opinion, based on a complete background, on causal relationship between compensable employment factors and a diagnosed emotional condition, the Board finds that appellant has not met his burden with respect to the medical evidence.

The decision of the Office of Workers' Compensation Programs dated August 29, 1997 is affirmed.

Dated, Washington, D.C.
August 23, 1999

David S. Gerson
Member

Michael E. Groom
Alternate Member

A. Peter Kanjorski
Alternate Member