

U. S. DEPARTMENT OF LABOR

Employees' Compensation Appeals Board

In the Matter of SUSAN E. ENSLEY and U.S. POSTAL SERVICE,
POST OFFICE, Seattle, WA

*Docket No. 98-2406; Submitted on the Record;
Issued February 24, 2000*

DECISION and ORDER

Before WILLIE T.C. THOMAS, BRADLEY T. KNOTT,
A. PETER KANJORSKI

The issue is whether appellant's hand dermatitis is causally related to factors of her federal employment.

The Board has duly reviewed the case record and finds that appellant has not established that her hand dermatitis is causally related to factors of her federal employment.

To establish that an injury was sustained in the performance of duty, appellant must submit the following: (1) medical evidence establishing the presence or existence of the condition for which compensation is claimed; (2) a factual statement identifying employment factors alleged to have caused or contributed to the condition; and (3) medical evidence establishing that the employment factors identified by the claimant were the proximate cause of the condition for which compensation is claimed or, stated differently, medical evidence establishing that the diagnosed condition is causally related to the employment factors identified by claimant. The medical evidence required to establish causal relationship, generally, is rationalized medical evidence. Rationalized medical opinion evidence is medical evidence which includes a physician's rationalized opinion on the issue of whether there is a causal relationship between the appellant's diagnosed condition and the implicated employment factors. The opinion of the physician must be based on a complete factual and medical background of the claimant, must be one of reasonable medical certainty and must be supported by medical rationale explaining the nature of the relationship between the diagnosed condition and the specific employment factors identified by appellant.¹

On February 8, 1996 appellant, then a 38-year-old window clerk, filed a claim for an occupational disease, Form CA-2, alleging that she sustained a skin condition or hand dermatitis at work. She did not miss work from this condition. Appellant stated that the problem began when she developed a dry spot in the palm of her hand in 1988 and it worsened in 1994 when

¹ See *Victor J. Woodhams*, 41 ECAB 345, 352 (1989).

she was at work. She believed her condition resulted from contact with epoxy resin used as a surface coating on paper. As a window clerk, appellant performed a variety of services at a public window including processing mail.

By letter dated April 30, 1996, the postmaster at the employing establishment controverted the claim, stating that he had no knowledge of any epoxy resins in any substance at work. He noted that appellant had been wearing two gloves on each hand since February 1, 1996 and he recently noticed a few blisters on her hand.

By decision dated May 23, 1996, the Office of Workers' Compensation Programs denied appellant's claim, stating that she had not established the fact of injury. The Office denied appellant's request for modification on March 19, 1997.

By decision dated June 12, 1998, the Office denied appellant's second request for modification.

In the present case, appellant has not established her claim because she has failed to meet the requirement of identifying specific employment factors alleged to have caused or contributed to her condition.² All the medical evidence is speculative as to whether there were conditions at the workplace which caused her skin condition. In a report dated November 30, 1995, Dr. Jerry D. Eisner, a Board-certified internist, found that a patch test showed that appellant was sensitive to epoxy resin and noted that appellant's history of her condition improving when she was away from work was "very suggestive" of allergic contact dermatitis and noted that she handled envelopes, papers and adhesives of a variety of types. In a report dated February 7, 1996, Dr. Guilford H. Traylor, a family practitioner, stated that appellant's contact dermatitis was occupationally related but did not state how he made that determination. In his report dated October 24, 1995, Dr. Eisner noted that appellant stated that her skin condition deteriorated when she handled envelopes and her personal history was strong for an allergic contact dermatitis.

Appellant underwent extensive testing at the Harborview Medical Center but the results were not conclusive as to what caused her skin condition. For instance, in a report dated May 1, 1996, after considering appellant's history of injury and performing extensive patch testing, Dr. Dianne B. Thompson and Dr. Marshall P. Welch diagnosed contact dermatitis, "probably" from epoxy, that it "seem[ed] likely" that epoxy resins were present in some of the adhesives in the mail she handled and her dermatitis was "probably" occupational. On June 3, 1996 Drs. Thompson and Welch reached the same conclusions. On February 2, 1998 Dr. Hayes B. Gladstone, a general surgeon and Dr. Welch diagnosed contact dermatitis of the hand which "seem[ed] most likely due to an irritant type of hand dermatitis secondary to frictional contact with paper in the workplace." They also stated all the miscellaneous objects and materials from the work place were negative. Drs. Gladstone and Welch opined that "on a more-probable-than-not basis" that appellant's hand dermatitis was caused by her occupation or at the very least constituted an occupational aggravation of an underlying predisposition to have hand dermatitis. In a report dated March 17, 1998, Drs. James H. Petrin and Welch stated that appellant had a

² See *Judith A. Peot*, 46 ECAB 1036, 1042 (1995).

positive patch test to mercaptobenzothiazole and stated that the chemical is in nitrile gloves which appellant previously wore and might also be present in rubber bands. Because all the medical evidence presented is based on speculation on appellant's contact with allergic substances at work, appellant has failed to establish her claim.³

The decision of the Office of Workers' Compensation Programs dated June 12, 1998 is hereby affirmed.

Dated, Washington, D.C.
February 24, 2000

Willie T.C. Thomas
Alternate Member

Bradley T. Knott
Alternate Member

A. Peter Kanjorski
Alternate Member

³ *Id.*