

U. S. DEPARTMENT OF LABOR

Employees' Compensation Appeals Board

In the Matter of CASSANDRA YOUNG and U.S. POSTAL SERVICE,
POST OFFICE, Dallas, TX

*Docket No. 02-2117; Submitted on the Record;
Issued May 1, 2003*

DECISION and ORDER

Before COLLEEN DUFFY KIKO, DAVID S. GERSON,
A. PETER KANJORSKI

The issue is whether appellant has established an occupational or traumatic injury pursuant to claims filed on April 24, 2002.

On April 24, 2002 appellant filed a notice of occupational disease claim for compensation (Form CA-2), and two notices of traumatic injury and claim for compensation (Form CA-1). These claims were administratively combined under OWCP File No. 162037815. The record indicates that appellant has an accepted emotional condition pursuant to OWCP File No. 160142072. According to a May 22, 2002 letter from the employing establishment, appellant had not worked for more than five years and was currently receiving compensation.

By decision dated June 21, 2002, the Office of Workers' Compensation Programs denied appellant's claims filed on April 24, 2002.

The Board finds that appellant has not established an occupational or traumatic injury with respect to the April 24, 2002 claims.

An employee seeking benefits under the Federal Employees' Compensation Act¹ has the burden of establishing the essential elements of his or her claim, including the fact that the individual is an "employee of the United States" within the meaning of the Act, that the claim was timely filed within the applicable time limitation period of the Act, that an injury was sustained in the performance of duty as alleged, and that any disability or specific condition for which compensation is claimed is causally related to the employment injury.² These are the

¹ 5 U.S.C. §§ 8101-8193.

² *Kathryn Haggerty*, 45 ECAB 383 (1994); *Elaine Pendleton*, 40 ECAB 1143 (1989); *see also* 20 C.F.R. § 10.115.

essential elements of each compensation claim regardless of whether the claim is predicated upon a traumatic injury or an occupational disease.³

Appellant did not submit a narrative statement identifying specific employment incidents that she believed contributed to a diagnosed condition, or supporting medical evidence with respect to her claims. On appeal appellant alleges that she has additional consequential injuries from the accepted employment injuries under File No. 160142072. Those allegations should be pursued with respect to the prior claim.⁴ The filing of a new claim is appropriate when there is a new employment incident or incidents alleged to have contributed to an injury.⁵ In the absence of any probative evidence in support of her claims, the Board finds that the Office properly denied the claims filed on April 24, 2002.

The decision of the Office of Workers' Compensation Programs dated June 21, 2002 is affirmed.

Dated, Washington, DC
May 1, 2003

Colleen Duffy Kiko
Member

David S. Gerson
Alternate Member

A. Peter Kanjorski
Alternate Member

³ *Joe D. Cameron*, 41 ECAB 153 (1989).

⁴ The Board notes that appellant has an appeal docketed as 02-1971 associated with File No. 160142072.

⁵ *See* Federal (FECA) Procedure Manual, Part 2 -- Claims, *Recurrences*, Chapter 2.1500.3 (January 1995).