United States Department of Labor Employees' Compensation Appeals Board

E.F., Appellant	-))
and) Docket No. 24-0537
U.S. POSTAL SERVICE, JACKSONVILLE POST OFFICE, Jacksonville, FL, Employer) Issued: July 15, 2024))
Appearances: Appellant, pro se Office of Solicitor, for the Director	Case Submitted on the Record

ORDER REMANDING CASE

Before: PATRICIA H. FITZGERALD, Deputy Chief Judge

JANICE B. ASKIN, Judge
VALERIE D. EVANS-HARRELL, Alternate Judge

On April 23, 2024 appellant filed a timely appeal from an April 8, 2024 merit decision of the Office of Workers' Compensation Programs (OWCP). The Clerk of the Appellate Boards assigned the appeal Docket No. 24-0537.

On January 7, 2023 appellant, then a 46-year-oldrural carrier, filed an occupational disease claim (Form CA-2) alleging that she developed a torn meniscus in her right knee, which resulted in limping and caused pain in her left knee, due to factors of her federal employment. On the claim form she alleged that her injury was consequential to her previously-accepted June 15, 2021 traumatic injury claim (Form CA-1) under OWCP File No. xxxxxxy993 for peripheral tear of the lateral meniscus of the right knee. OWCP assigned the present claim OWCP File No. xxxxxxx871 and accepted it for muscle/tendon strain of the left lower leg, effusion of the left knee, and synovial cyst (Baker's cyst) of the popliteal space of the left knee.

On January 8 and 19, 2024 appellant filed claims for compensation (Form CA-7) for disability from work during the period December 18 through 29, 2023, due to medical treatment for her accepted conditions.

In an April 8, 2024 decision, OWCP denied appellant's claim for compensation finding that the evidence of record did not establish disability to obtain medical care as a result of the accepted work-related conditions.

The Board, having duly considered the matter, finds that this 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.¹ 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.²

As OWCP File No. xxxxxx993 is cross-referenced in the present claim, for a full and fair adjudication, this case must be remanded to OWCP. On remand OWCP shall administratively combine the current case record with OWCP File No. xxxxxxx993 and any other relevant claim files so it can consider all relevant evidence in adjudicating appellant's disability claim.³ Following this and other such further development as deemed necessary, OWCP shall issue a *de novo* decision. Accordingly,

IT IS HEREBY ORDERED THAT the April 8, 2024 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.

¹ Federal (FECA) Procedure Manual, Part 2 -- Claims, *File Maintenance and Management*, Chapter 2.400.8c (February 2000); *T.D.*, Docket No. 20-1119 (issued January 29, 2021); *R.R.*, Docket No. 19-0368 (issued November 26, 2019).

² *Id.*; *L.C.*, Docket No. 24-0206 (issued May 16, 2024); *W.M.*, Docket No. 23-0671 (issued December 29, 2023); *M.L.*, Docket No. 20-1176 (issued April 29, 2021); *L.M.*, Docket No. 19-1490 (issued January 29, 2020); *L.H.*, Docket No 18-1777 (issued July 2, 2019).

³ Supra note 1 at Chapter 2.400.8c(1); W.M., supra note 2; W.D., Docket No. 19-0961 (issued March 31, 2021); L.P., Docket Nos. 18-1558, 18-1568 (issued June 21, 2019).

Issued: July 15, 2024 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