

U. S. DEPARTMENT OF LABOR

Employees' Compensation Appeals Board

In the Matter of STEPHEN M. DUBOVICH and DEPARTMENT OF LABOR,
MINE SAFETY & HEALTH ADMINISTRATION, Monroeville, Pa.

*Docket No. 97-1390; Submitted on the Record;
Issued April 2, 1999*

DECISION and ORDER

Before DAVID S. GERSON, WILLIE T.C. THOMAS,
BRADLEY T. KNOTT

The issues are: (1) whether appellant suffered a recurrence of disability beginning on June 15, 1994; (2) whether appellant established any other condition arising from his June 11, 1992 accepted employment injury; and (3) whether the Office of Workers' Compensation Programs should modify its November 25, 1994 loss of wage-earning capacity decision due to a worsening of the accepted employment injury.

The Board has given careful consideration to the issues involved, the contentions of appellant on appeal and the entire case record. The Board finds that the decision of the hearing representative of the Office dated and finalized on January 5, 1997 is in accordance with the facts and law in this case and hereby adopts the findings and conclusions of the Office hearing representative.

The decision of the Office of Workers' Compensation Programs dated and finalized on January 5, 1997 is affirmed.

Dated, Washington, D.C.
April 2, 1999

David S. Gerson
Member

Willie T.C. Thomas
Alternate Member

Bradley T. Knott
Alternate Member