

U. S. DEPARTMENT OF LABOR

Employees' Compensation Appeals Board

In the Matter of DON H. BERNARD and U.S. POSTAL SERVICE,
INSPECTION SERVICE, Detroit, MI

*Docket No. 99-431; Submitted on the Record;
Issued September 21, 2000*

DECISION and ORDER

Before WILLIE T.C. THOMAS, A. PETER KANJORSKI,
VALERIE D. EVANS-HARRELL

The issue is whether the Office of Workers' Compensation Programs properly determined that appellant's pay rate for the period February 7, 1993 to April 19, 1994.

The Board has given careful consideration to the issue 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 February 24, 1998 is in accordance with the facts and the law in this case and hereby adopts the findings and conclusions of the Office hearing representative.¹

¹ Section 8101(4) of the Federal Employees' Compensation Act defines "monthly pay" as the monthly pay at the time of injury, or the monthly pay at the time disability begins, or the monthly pay at the time compensable disability recurs, if the recurrence begins more than six months after the injured employee resumes regular full-time employment with the United States, which ever is greater. 5 U.S.C. § 8101(4).

The decision of the Office of Workers' Compensation Programs dated February 24, 1998 is hereby affirmed.

Dated, Washington, DC
September 21, 2000

Willie T.C. Thomas
Member

A. Peter Kanjorski
Alternate Member

Valerie D. Evans-Harrell
Alternate Member