

U. S. DEPARTMENT OF LABOR

Employees' Compensation Appeals Board

In the Matter of GEORGE OCHS and DEPARTMENT OF THE ARMY,
CORPS OF ENGINEERS, Cleveland, OH

*Docket No. 99-2075; Submitted on the Record;
Issued April 27, 2001*

DECISION and ORDER

Before DAVID S. GERSON, WILLIE T.C. THOMAS,
A. PETER KANJORSKI

The issue is whether the Office of Workers' Compensation Programs properly adjusted appellant's compensation effective July 1, 1998 based on his capacity to perform the position of small products assembler.

The Board has given careful consideration to the issue involved, the contentions of the parties on appeal and the entire case record. The Board finds that the decision of the hearing representative of the Office dated and finalized May 5, 1999 is in accordance with the facts and the law in this case and hereby adopts the findings and conclusions of the Office hearing representative.

The decisions of the Office of Workers' Compensation Programs dated and finalized May 5, 1999 and June 30, 1998 are affirmed.¹

Dated, Washington, DC
April 27, 2001

David S. Gerson
Member

Willie T.C. Thomas
Member

A. Peter Kanjorski
Alternate Member

¹ The Office hearing representative also properly determined that appellant would be entitled to receive compensation due to temporary total disability caused by his February 9, 1999 employment-related knee surgery and that, after such disability ended, he would receive compensation based on his capacity to work as a small products assembler. Although the Office hearing representative suggested that appellant's temporary total disability payments should end by April 24, 1999, the payments should continue as long as the medical evidence supports the existence of such employment-related disability.