

U. S. DEPARTMENT OF LABOR

Employees' Compensation Appeals Board

In the Matter of ANTHONY J. GALLO and DEPARTMENT OF LABOR,
EMPLOYMENT & TRAINING ADMINISTRATION, New York, NY

*Docket No. 01-1052; Submitted on the Record;
Issued November 28, 2001*

DECISION and ORDER

Before DAVID S. GERSON, MICHAEL E. GROOM,
A. PETER KANJORSKI

The issue is whether appellant has met his burden of proof to establish that he sustained an emotional condition while in the performance of duty.

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 Office of Workers' Compensation Programs' hearing representative dated November 21, 2000 is 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 November 21 and May 12, 2000 are hereby affirmed.

Dated, Washington, DC
November 28, 2001

David S. Gerson
Member

Michael E. Groom
Alternate Member

A. Peter Kanjorski
Alternate Member