

U. S. DEPARTMENT OF LABOR

Employees' Compensation Appeals Board

In the Matter of EARLINE CALLOWAY and DEPARTMENT OF THE TREASURY,
INTERNAL REVENUE SERVICE, Detroit, MI

*Docket No. 02-22; Submitted on the Record;
Issued July 12, 2002*

DECISION and ORDER

Before ALEC J. KOROMILAS, MICHAEL E. GROOM,
A. PETER KANJORSKI

The issue is whether appellant met her burden of proof in establishing that she sustained a recurrence of disability, due to the October 6, 1992 employment injury, beginning December 29, 1998.

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 November 17, 2000 decision of the Office of Workers' Compensation Programs is in accordance with the facts and the law in this case and hereby adopts the findings and conclusions of the hearing representative.

The November 17, 2000 decision of the Office of Workers' Compensation Programs is hereby affirmed.¹

Dated, Washington, DC
July 12, 2002

Alec J. Koromilas
Member

Michael E. Groom
Alternate Member

A. Peter Kanjorski
Alternate Member

¹ The opinion of appellant's treating physician, Dr. Brian J. Kolender, an internist, lacked medical rationale in that it was speculative regarding whether appellant sustained a recurrence of disability and insufficient to establish appellant's claim. *See Patricia M. Mitchell*, 48 ECAB 371, 372-73 (1997); *William S. Wright*, 45 ECAB 498, 504-03 (1994).