## **United States Department of Labor Employees' Compensation Appeals Board**

L.B., Appellant	)
and	) Docket No. 09-932 ) Issued: April 23, 2009
DEPARTMENT OF VETERANS AFFAIRS, VETERANS ADMINISTRATION MEDICAL CENTER, Los Angeles, CA, Employer	)
Appearances: Appellant, pro se Office of Solicitor, for the Director	Case Submitted on the Record

## ORDER GRANTING ORAL ARGUMENT

Before:
ALEC J. KOROMILAS, Chief Judge
DAVID S. GERSON, Judge
COLLEEN DUFFY KIKO, Judge

By application dated February 9, 2009 appellant filed for review of a December 12, 2008 decision of the Office of Workers' Compensation Programs' hearing representative which denied her emotional condition claim. The appeal was docketed as No. 09-932. Appellant submitted a timely request for oral argument, explaining the need to address the evidence of record before the Board. She contends that her employer failed to provide equipment recommended by her physician and that the Office failed to adequately consider her mental health records or Equal Employment Opportunity claim.

The Board has duly considered the matter and finds that appellant's request for oral argument should be granted. Pursuant to 20 C.F.R. § 501.5(a), oral argument may be held in the discretion of the Board. In the present appeal, appellant's request was timely filed and a need for oral argument was advanced. The Board has jurisdiction over the merits of appellant's claim. The December 12, 2008 decision of the Office hearing representative affirmed the denial of her claim finding that appellant did not establish any compensable factors of employment. Appellant contends that the employing establishment failed to make reasonable accommodations as recommended by her physician which contributed to her claimed condition. Moreover, she

<sup>&</sup>lt;sup>1</sup> 20 C.F.R. § 501.5(a).

argues that the Office did not sufficiently address the evidence of record. The Board, in its discretion, grants oral argument.

**IT IS HEREBY ORDERED THAT** appellant's request for oral argument in Docket No. 09-932 be granted.

Issued: April 23, 2009 Washington, DC

> Alec J. Koromilas, Chief Judge Employees' Compensation Appeals Board

> David S. Gerson, Judge Employees' Compensation Appeals Board

> Colleen Duffy Kiko, Judge Employees' Compensation Appeals Board