

U. S. DEPARTMENT OF LABOR

Employees' Compensation Appeals Board

In the Matter of TYRONE HOOKS and U.S. POSTAL SERVICE,
POST OFFICE, Richmond, VA

*Docket No. 99-2019; Submitted on the Record;
Issued August 28, 2000*

DECISION and ORDER

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

The issue is whether appellant established that he was temporarily totally disabled during the periods June 1 through June 3, 1997 and June 19 through September 15, 1997 as a result of his March 11, 1997 employment injury.

The Board has given careful consideration to the issue involved, appellant's contentions on appeal and the entire case record. The Board finds that the decision of the hearing representative of the Office of Workers' Compensation Programs dated March 25, 1999 is in accordance with the facts and the law in this case and hereby adopts the findings and conclusions of the hearing representative.¹

¹ The term "disability" means the incapacity because of an injury in employment to earn wages the employee was receiving at the time of the injury. *Shirley A. Temple*, 48 ECAB 404, 407 n. 10 (1997). Every injury does not necessarily cause disability for employment. Whether a particular injury causes disability for employment is a medical issue which must be resolved by competent medical evidence. *Patrick H. Hall*, 48 ECAB 514, 516 n. 11 (1997). In the instant case, appellant failed to establish that he was physically incapable of performing the light-duty assignment available to him during the claimed periods of temporary total disability.

The decision of the Office of Workers' Compensation Programs dated March 25, 1999 is hereby affirmed.

Dated, Washington, D.C.
August 28, 2000

David S. Gerson
Member

Willie T.C. Thomas
Member

A. Peter Kanjorski
Alternate Member