

U. S. DEPARTMENT OF LABOR

Employees' Compensation Appeals Board

In the Matter of GORDON M. SQUIRE and DEPARTMENT OF THE NAVY,
PUGET SOUND NAVAL SHIPYARD, Bremerton, WA

*Docket No. 00-310; Submitted on the Record;
Issued December 6, 2000*

DECISION and ORDER

Before MICHAEL J. WALSH, DAVID S. GERSON,
A. PETER KANJORSKI

The issue is whether appellant has more than a 23 percent binaural hearing loss for which he was granted a schedule award.

The Board has given careful consideration to the issue involved, the contentions of appellant on appeal and the entire case record. The Board finds that the decision of the hearing representative of the Office of Workers' Compensation Programs, issued on July 30, 1999 and finalized on August 6, 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 Board notes that the hearing representative noted appellant's claim for hearing loss as being filed on May 28, 1998. The correct date is May 28, 1997.

The decision of the Office of Workers' Compensation Programs, issued on July 30, 1999 and finalized on August 6, 1999, is hereby affirmed.²

Dated, Washington, DC
December 6, 2000

Michael J. Walsh
Chairman

David S. Gerson
Member

A. Peter Kanjorski
Alternate Member

² The Board notes that this case record contains evidence which was submitted without a request for reconsideration subsequent to the Office's July 30, 1999 decision. The Board has no jurisdiction to review this evidence for the first time on appeal; *see* 20 C.F.R. § 501.2(c); *James C. Campbell*, 5 ECAB 35, 36 (1952).