

U. S. DEPARTMENT OF LABOR

Employees' Compensation Appeals Board

In the Matter of CHARLES T. LOGAN and U.S. POSTAL SERVICE,
POST OFFICE, New Brunswick, NJ

*Docket No. 00-1792; Submitted on the Record;
Issued April 5, 2001*

DECISION and ORDER

Before DAVID S. GERSON, MICHAEL E. GROOM,
PRISCILLA ANNE SCHWAB

The issue is whether is whether appellant sustained an emotional condition in the performance of duty on May 24, 1999.

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 February 23, 2000 decision of the Office of Workers' Compensation Programs' hearing representative, finalized on February 28, 2000, 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 Appellant did not show that on May 24, 1999 his supervisor acted abusively or unreasonably in asking him to write a statement regarding a work incident which appellant claimed he was not involved in. The supervisor investigating or monitoring a personnel incident constitutes an administrative matter and as such is compensable only if appellant shows management acted unreasonably or abusively. See *Constance I. Galbreath*, 49 ECAB 401, 408-09 (1998); *Garry M. Carlo*, 47 ECAB 299, 304 (1996). Appellant had not made this showing and has failed to establish a compensable factor of employment.

The decision of the Office of Workers' Compensation Programs dated February 23, 2000 and finalized on February 28, 2000 and the August 9, 1999 decision are hereby affirmed.

Dated, Washington, DC
April 5, 2001

David S. Gerson
Member

Michael E. Groom
Alternate Member

Priscilla Anne Schwab
Alternate Member