

U. S. DEPARTMENT OF LABOR

Employees' Compensation Appeals Board

In the Matter of LINDA M. MOZELL and DEPARTMENT OF THE INTERIOR,
BUREAU OF LAND MANAGEMENT, Denver, CO

*Docket No. 00-2713; Submitted on the Record;
Issued August 7, 2001*

DECISION and ORDER

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

The issue is whether appellant met her burden of proof to establish that she sustained an emotional condition in the performance of duty.

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 decision of the hearing representative of the Office of Workers' Compensation Programs dated and finalized July 26, 2000 is in accordance with the facts and the law in this case and hereby adopts the findings and conclusions of the Office hearing representative.¹

¹ Appellant alleged that John Kunzler and other supervisors mishandled the assignment and management of her work duties. An administrative matter will be considered to be an employment factor where the evidence discloses error or abuse on the part of the employing establishment, but appellant did not submit sufficient evidence to establish error or abuse with respect to these administrative matters; *see Richard J. Dube*, 42 ECAB 916, 920 (1991). In essence, appellant has alleged dissatisfaction with perceived poor management, but this dissatisfaction constitutes frustration from not being permitted to work in a particular environment or to hold a particular position and is not compensable under the Federal Employees' Compensation Act; *see Michael Thomas Plante*, 44 ECAB 510, 515 (1993). The record contains the findings of a 1997 Equal Employment Opportunity Commission case, but the subject of the case does not appear to relate to the present emotional condition claim.

The July 26, 2000 and October 28, 1999 decisions of the Office of Workers' Compensation Programs are affirmed.

Dated, Washington, DC
August 7, 2001

David S. Gerson
Member

Willie T.C. Thomas
Member

A. Peter Kanjorski
Alternate Member