

U. S. DEPARTMENT OF LABOR

Employees' Compensation Appeals Board

In the Matter of RICHARD D. WARD and DEPARTMENT OF THE ARMY,
CORPS OF ENGINEERS, Huntington, WV

*Docket No. 00-176; Submitted on the Record;
Issued June 22, 2001*

DECISION and ORDER

Before MICHAEL J. WALSH, DAVID S. GERSON,
BRADLEY T. KNOTT

The issue is whether appellant met his burden of proof to establish that he has more than a 20 percent permanent impairment of his right arm for which he received a schedule award.

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 August 4, 1999 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 The record contains some documents concerning appellant's emotional condition. Appellant has filed a separate claim (File No. A3-231630) in which he alleged that he sustained an employment-related emotional condition and this matter is not the subject of the current claim. The Office hearing representative directed the Office to consider whether appellant has permanent impairment of his left arm and whether he is entitled to wage-loss compensation on or after January 3, 1998 and, consequently, the Office should further evaluate these matters.

The August 4, 1999 and October 20, 1998 decisions of the Office of Workers' Compensation Programs are affirmed.

Dated, Washington, DC
June 22, 2001

Michael J. Walsh
Chairman

David S. Gerson
Member

Bradley T. Knott
Alternate Member