

U. S. DEPARTMENT OF LABOR

Employees' Compensation Appeals Board

In the Matter of ANGELICA S. NILES and U.S. POSTAL SERVICE,
POST OFFICE, Central Islip, NY

*Docket No. 01-422; Submitted on the Record;
Issued November 20, 2001*

DECISION and ORDER

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

The issue is whether appellant is entitled to compensation for a claimed recurrence of disability after August 30, 1999 due to her March 30, 1993 employment injury.

The Board has given careful consideration to the issue involved, the contentions of the parties on appeal and the entire case record.¹ The Board finds that the decision of the hearing representative of the Office dated August 30, 2000 and finalized on August 31, 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 that the penalty of section 8106 had been previously noted and therefore payment of wage-loss compensation due to her recurrence of disability was precluded.

¹ The Board notes that the Office of Workers' Compensation Programs misnumbered the pages in the record following page 742 and again following page 546. The page subsequent to 742 starts with page number 473 and is numbered up to page 578. The page after 578 is numbered 519. The correct number of pages in the record should be 849.

The decision of the Office of Workers' Compensation Programs dated August 30, 2000 and finalized on August 31, 2000 is hereby affirmed.

Dated, Washington, DC
November 20, 2001

David S. Gerson
Member

Willie T.C. Thomas
Member

A. Peter Kanjorski
Alternate Member