

U. S. DEPARTMENT OF LABOR

Employees' Compensation Appeals Board

In the Matter of BARBARA K. GRAHAM and DEPARTMENT OF THE ARMY,
COMMANDER, Fort Sam Houston, TX

*Docket No. 01-982; Submitted on the Record;
Issued October 15, 2001*

DECISION and ORDER

Before DAVID S. GERSON, BRADLEY T. KNOTT,
PRISCILLA ANNE SCHWAB

The issue is whether appellant sustained an emotional condition while 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 December 19, 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 As discussed by the Office hearing representative, appellant alleged that she sustained stress due to various administrative matters, such as performance evaluations, meetings with supervisors, leave usage, work assignments, job promotion procedures and monitoring of work duties. Administrative and personnel matters generally are unrelated to the employee's regular or specially assigned work duties and do not fall within the coverage of the Federal Employees' Compensation Act. However, the Board has also found that an administrative or personnel matter will be considered to be an employment factor where the evidence discloses error or abuse on the part of the employing establishment. See *Richard J. Dube*, 42 ECAB 916, 920 (1991). Appellant alleged that her supervisor misinformed her regarding the nature of a position for which applications were being accepted. However, appellant did not provide adequate evidence supporting her claim or otherwise show that the employing establishment committed error or abuse in this regard. Appellant also suggested that she sustained stress from performing the duties of her job. The Board has held that emotional reactions to situations in which an employee is trying to meet her position requirements are compensable. See *Georgia F. Kennedy*, 35 ECAB 1151, 1155 (1984); *Joseph A. Antal*, 34 ECAB 608, 612 (1983). However, appellant did not establish the factual aspect of her claim regarding work duties.

The December 19, 2000 decision of the Office of Workers' Compensation Programs is affirmed.

Dated, Washington, DC
October 15, 2001

David S. Gerson
Member

Bradley T. Knott
Alternate Member

Priscilla Anne Schwab
Alternate Member