

U. S. DEPARTMENT OF LABOR

Employees' Compensation Appeals Board

In the Matter of JAMES R. KELL and TENNESSEE VALLEY AUTHORITY,
BELLEFONTE NUCLEAR PLANT, Hollywood, Fla.

*Docket No. 95-3122; Submitted on the Record;
Issued April 13, 1998*

DECISION and ORDER

Before GEORGE E. RIVERS, WILLIE T.C. THOMAS,
MICHAEL E. GROOM

The issues are: (1) whether the Office of Workers' Compensation Program properly reduced appellant's compensation on the basis that appellant failed to undergo vocational rehabilitation in good faith; and (2) whether the Office properly determined that appellant failed to establish a recurrence of disability.

The Board has given careful consideration to the issues involved, the contentions on appeal, and the entire case record. The Board finds that the decision of the hearing representative of the Office dated and made final on August 18, 1995 is in accordance with the facts and law in this case and hereby adopts the findings and conclusions of the Office hearing representative.

The decision of the Office of Workers' Compensation Programs dated August 18, 1995 is affirmed.

Dated, Washington, D.C.
April 13, 1998

George E. Rivers
Member

Willie T.C. Thomas
Alternate Member

Michael E. Groom
Alternate Member