

U. S. DEPARTMENT OF LABOR

Employees' Compensation Appeals Board

In the Matter of ROY R. McVICKERS and GENERAL SERVICES ADMINISTRATION,
FEDERAL SUPPLY SERVICE, Philadelphia, Pa.

*Docket No. 95-1988; Submitted on the Record;
Issued August 10, 1998*

DECISION and ORDER

Before GEORGE E. RIVERS, DAVID S. GERSON,
A. PETER KANJORSKI

The issue is whether appellant met his burden of proof in establishing that he sustained an injury in the performance of duty on February 25, 1993.

The Board has given careful consideration to the issue involved, the contentions of appellant on appeal and the entire case record. The Board finds that the decision of the Office of Workers' Compensation Programs hearing representative dated and finalized September 23, 1994, is in accordance with the facts and law in the case and hereby adopts the findings and conclusion of the hearing representative.¹

The September 23, 1994 decision of the Office of Workers' Compensation Programs is affirmed.

Dated, Washington, D.C.
August 10, 1998

George E. Rivers
Member

David S. Gerson
Member

A. Peter Kanjorski
Alternate Member

¹ The Board finds that the hearing representative did not abuse his discretion by refusing to issue subpoenas to compel appearances at the Office hearing. 5 U.S.C. § 8126.