

U. S. DEPARTMENT OF LABOR

Employees' Compensation Appeals Board

In the Matter of THOMAS S. TEMPLETON and U.S. POSTAL SERVICE,
MAIN POST OFFICE, Dallas, Tex.

*Docket No. 96-206; Submitted on the Record;
Issued February 23, 1998*

DECISION and ORDER

Before WILLIE T.C. THOMAS, MICHAEL E. GROOM,
A. PETER KANJORSKI

The issues are: (1) whether appellant was not without fault in creating an overpayment of \$2,453.12; and (2) whether the Office of Workers' Compensation Programs properly withheld \$140.00 every 28 days from appellant's continuing compensation to recover the overpayment.

The Board has given careful consideration to the issues involved, the contentions of appellant on appeal and the entire case record. The Board finds that the September 25, 1995 decision of the Office's hearing representative is in accordance with the facts and law in this case and therefore adopts the findings and conclusions of the hearing representative.

The September 25, 1995 decision of the Office of Workers' Compensation Programs is affirmed.

Dated, Washington, D.C.

February 23, 1998

Willie T.C. Thomas

Alternate Member

Michael E. Groom

Alternate Member

A. Peter Kanjorski

Alternate Member