

U. S. DEPARTMENT OF LABOR

Employees' Compensation Appeals Board

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In the Matter of STEVE J. ELLSWORTH and DEPARTMENT OF THE ARMY,  
DEPOT, RAILSHOP DIVISION, HILL AIR FORCE BASE, Tooele, Utah

*Docket No. 96-1959; Submitted on the Record;  
Issued May 13, 1998*

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DECISION and ORDER

Before MICHAEL J. WALSH, MICHAEL E. GROOM,  
BRADLEY T. KNOTT

The issue is whether appellant's employment-related hearing loss entitles him to a schedule award.

The Board has duly reviewed the case on appeal and finds that appellant's employment-related hearing loss does not entitle him to a schedule award.

On April 5, 1995 appellant alleged that he developed a hearing loss due to factors of his federal employment. On May 17, 1996 the Office of Workers' Compensation Programs accepted appellant's claim for hearing loss causally related to factors of his federal employment, but found that appellant's hearing loss was not compensable for schedule award purposes. The Office noted that appellant was entitled to medical treatment for his accepted condition.

The Office properly considered the medical evidence submitted in support of appellant's claim and applied the American Medical Association, *Guides to the Evaluation of Permanent Impairment*. A medical report was submitted from Dr. Leland Johnson, a Board-certified otolaryngologist, which conforms to applicable criteria. The losses at the frequencies of 500, 1,000, 2,000 and 3,000 cycles per second were added and averaged and the "fence of 25 decibels was deducted."<sup>1</sup> The remaining amount was multiplied by 1.5 to arrive at the percentage of monaural hearing loss. For levels recorded in the left ear of 30, 10, 25 and 20, the above formula derives 0 percent monaural loss and for levels recorded in the right ear of 30, 10, 10 and 15, the above formula derives 0 percent monaural loss. According to the accepted formula, appellant does not have a ratable loss of hearing in either ear.

The decision of the Office of Workers' Compensation Programs dated May 17, 1996 is hereby affirmed.

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<sup>1</sup> The A.M.A., *Guides* points out that the loss below an average of 25 decibels is deducted as it does not result in impairment in the ability to hear everyday sounds under everyday listening conditions.

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

Michael J. Walsh  
Chairman

Michael E. Groom  
Alternate Member

Bradley T. Knott  
Alternate Member