

U. S. DEPARTMENT OF LABOR

Employees' Compensation Appeals Board

In the Matter of STEPHANIE GONZALEZ and DEPARTMENT OF THE TREASURY,
INTERNAL REVENUE SERVICE, West Palm Beach, Fla.

*Docket No. 96-1945; Submitted on the Record;
Issued February 25, 1999*

DECISION and ORDER

Before GEORGE E. RIVERS, WILLIE T.C. THOMAS,
BRADLEY T. KNOTT

The issues are: (1) whether the Office of Workers' Compensation Programs properly terminated appellant's compensation benefits effective January 9, 1994; (2) whether the Office properly found that appellant forfeited her entitlement to compensation for the period March 29 through August 5, 1990 because she knowingly failed to report employment activities; (3) whether the Office properly found that appellant was at fault in the creation of a \$5,207.57 overpayment in compensation and therefore the overpayment was not subject to waiver; and (4) whether appellant established that she had any continuing disability causally related to employment factors.

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 decision of the hearing representative of the Office dated May 3, 1996 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 The Board notes that the Office hearing representative stated that she was crediting the opinion of "Dr. Stone" when it is clear from the tenor of her decision that she intended to credit the opinion of the physician who provided the impartial medical evaluation, Dr. James K. Jones.

The decision of the Office of Workers' Compensation Programs dated May 3, 1996 is hereby affirmed.

Dated, Washington, D.C.
February 25, 1999

George E. Rivers
Member

Willie T.C. Thomas
Alternate Member

Bradley T. Knott
Alternate Member