

U. S. DEPARTMENT OF LABOR

Employees' Compensation Appeals Board

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In the Matter of STEVE R. SKINNER and DEPARTMENT OF AGRICULTURE,  
AGRICULTURAL MARKETING SERVICE, Denver, Colo.

*Docket No. 97-1378; Submitted on the Record;  
Issued February 19, 1999*

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DECISION and ORDER

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

The issues are whether the Office of Workers' Compensation Programs properly found an overpayment in the amount of \$2,389.73 and whether appellant was at fault in creating the overpayment, thereby excluding waiver of recovery.

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 November 26, 1996 decision of the Office's hearing representative is in accordance with the facts and the law in this case and therefore adopts the findings and conclusions of the hearing representative.

The November 26, 1996 decision of the Office of Workers' Compensation Programs is affirmed.

Dated, Washington, D.C.  
February 19, 1999

George E. Rivers  
Member

Willie T.C. Thomas  
Alternate Member

Bradley T. Knott  
Alternate Member