

U. S. DEPARTMENT OF LABOR

Employees' Compensation Appeals Board

In the Matter of ELAINE SNEED and U.S. POSTAL SERVICE,
POST OFFICE, Oakland, Calif.

*Docket No. 96-739; Submitted on the Record;
Issued January 28, 1999*

DECISION and ORDER

Before GEORGE E. RIVERS, WILLIE T.C. THOMAS,
MICHAEL E. GROOM

The issue is whether appellant sustained a recurrence of disability on or after January 26, 1994.

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 hearing representative of the Office of Workers' Compensation Programs dated May 25, 1995 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 hearing representative stated that appellant claimed a recurrence of disability due to a September 5, 1983 employment injury. Appellant, on her notice of a recurrence of disability form, attributed her recurrence of disability to an August 9, 1979 employment injury. However, as the hearing representative properly considered whether appellant had submitted medical evidence which would establish that she sustained a recurrence of disability due to an employment-related back or neck condition, it does not affect the disposition of the case.

The decision of the Office of Workers' Compensation Programs dated May 25, 1995 is hereby affirmed.

Dated, Washington, D.C.
January 28, 1999

George E. Rivers
Member

Willie T.C. Thomas
Alternate Member

Michael E. Groom
Alternate Member