

U. S. DEPARTMENT OF LABOR

Employees' Compensation Appeals Board

In the Matter of JOSEPH DAY and U.S. POSTAL SERVICE,
POST OFFICE, Trenton, N.J.

*Docket No. 97-818; Submitted on the Record;
Issued January 5, 1999*

DECISION and ORDER

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

The issue is whether appellant has established that he has more than a 20 percent permanent impairment of the left upper extremity, for which he has received a scheduled award.

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 Office of Workers' Compensation Programs' hearing representative, dated and finalized on October 10, 1996, is in accordance with the facts and the law in this case and hereby adopts the findings and conclusions of the hearing representative.¹

The decision of the Office of Workers' Compensation Programs dated October 10, 1996 is hereby affirmed.

Dated, Washington, D.C.
January 5, 1999

George E. Rivers
Member

Willie T.C. Thomas
Alternate Member

Bradley T. Knott
Alternate Member

¹ The Board notes that the Office hearing representative stated that upon the return of the case file to the Office, the Office should address if any schedule award is payable for payment impairment of the left lower extremity. As the Office had not issued a decision regarding this aspect of the claim prior to this appeal, this aspect of the claim is not before the Board.