

U. S. DEPARTMENT OF LABOR

Employees' Compensation Appeals Board

In the Matter of WILLIAM E. GORDON and DEPARTMENT OF THE NAVY,
NAVAL SUBMARINE BASE, Groton, Conn.

*Docket No. 97-1016; Submitted on the Record;
Issued March 10, 1999*

DECISION and ORDER

Before WILLIE T.C. THOMAS, MICHAEL E. GROOM,
A. PETER KANJORSKI

The issue is whether the Office of Workers' Compensation Programs met its burden of proof to terminate appellant's compensation effective July 24, 1994 on the grounds that he had no disability due to his October 27, 1988 employment injury after that date.

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 and finalized November 15, 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 On appeal appellant argued that his claim was supported by the fact that several attending physicians indicated that he consistently had back symptoms. The Board has held, however, that the fact that a condition manifests itself or worsens during a period of employment or that work activities produce symptoms revelatory of an underlying condition does not raise an inference of causal relationship between a claimed condition and employment factors. *Richard B. Cissel*, 32 ECAB 1910, 1917 (1981); *William Nimitz, Jr.*, 30 ECAB 567, 570 (1979). Appellant also alleged that a work-related neck injury contributed to his disability, but the Office has not accepted this condition as employment related and the record of evidence does not otherwise support the finding of such an injury. The Office properly determined that the weight of the medical evidence rested with the well-rationalized opinion of the impartial medical examiner in terminating appellant's compensation.

The decision of the Office of Workers' Compensation Programs dated and finalized November 15, 1996 is affirmed.

Dated, Washington, D.C.
March 10, 1999

Willie T.C. Thomas
Alternate Member

Michael E. Groom
Alternate Member

A. Peter Kanjorski
Alternate Member