

U. S. DEPARTMENT OF LABOR

Employees' Compensation Appeals Board

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In the Matter of TAMMY A. MARSHALL and U.S. POSTAL SERVICE,  
POST OFFICE, Richmond, VA

*Docket No. 98-1768; Submitted on the Record;  
Issued January 12, 2000*

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DECISION and ORDER

Before DAVID S. GERSON, MICHAEL E. GROOM,  
BRADLEY T. KNOTT

The issue is whether appellant established that she sustained an emotional condition in the performance of duty.

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 and made final on February 12, 1998 is in accordance with the facts and the law in this case and hereby adopts the findings and conclusions of the Office hearing representative that appellant has not established a compensable factor of employment and, thus, has not met her burden of proof in establishing that she sustained an emotional condition in the performance of duty.

The decision of the Office of Workers' Compensation Programs dated February 12, 1998 is affirmed.

Dated, Washington, D.C.  
January 12, 2000

David S. Gerson  
Member

Michael E. Groom  
Alternate Member

Bradley T. Knott  
Alternate Member