

U. S. DEPARTMENT OF LABOR

Employees' Compensation Appeals Board

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In the Matter of REYNALDO SANCHEZ and DEPARTMENT OF THE AIR FORCE,  
SAN ANTONIA AIR LOGISTICS CENTER, KELLY AIR FORCE BASE, TX

*Docket No. 98-2028; Submitted on the Record;  
Issued January 7, 2000*

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DECISION and ORDER

Before GEORGE E. RIVERS, DAVID S. GERSON,  
MICHAEL E. GROOM

The issue is whether appellant has more than a three percent binaural loss of hearing for which he received a schedule award.

The Board has duly reviewed the case on appeal and finds that appellant has no more than a three percent binaural loss of hearing for which he received a schedule award.

Appellant, a welder foreman, filed a claim on February 8, 1995 alleging that he developed a loss of hearing due to factors of his federal employment. After undertaking development of the medical evidence, the Office of Workers' Compensation Programs accepted appellant's claim for bilateral loss of hearing on April 24, 1998. Appellant requested a schedule award on May 7, 1998. By decision dated June 3, 1998, the Office granted appellant a schedule award for a three percent bilateral loss of hearing.

The Office properly considered the medical evidence submitted in support of appellant's claim and applied the American Medical Association, *Guides to the Evaluation of Permanent Impairment*. A medical report was submitted from Dr. Wesley W.O. Krueger, a Board-certified otolaryngologist, which conforms to applicable criteria. The losses at the frequencies of 500, 1,000, 2,000 and 3,000 cycles per second were added and averaged and the "fence of 25 decibels was deducted."<sup>1</sup> The remaining amount was multiplied by 1.5 to arrive at the percentage of monaural hearing loss. For a binaural hearing loss, the loss in each ear is calculated using the above formula. The lesser loss is then multiplied by five and added to the greater loss. This amount is then divided by six to arrive at the total binaural hearing loss. For levels recorded in the left ear of 15, 20, 25 and 55, the above formula derives 5.6 percent monaural loss and for levels recorded in the right ear of 10, 15, 15 and 65, the above formula derives 1.9 percent

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<sup>1</sup> The A.M.A., *Guides* points out that the loss below an average of 25 decibels is deducted as it does not result in impairment in the ability to hear everyday sounds under everyday listening conditions.

monaural loss. According to the accepted formula these combine to reach a three percent binaural loss of hearing.

The schedule provisions of the Federal Employees' Compensation Act specify the number of weeks of compensation to be paid for each permanent impairment listed in the schedule.<sup>2</sup> As appellant has a 3 percent loss of use of both ears, he is entitled to 3 percent of the 200 weeks of compensation which is 6 weeks. The Office properly determined the number of weeks of compensation for which appellant is entitled under the schedule award.

The decisions of the Office of Workers' Compensation Programs dated June 3 and April 24, 1998 are hereby affirmed.

Dated, Washington, D.C.  
January 7, 2000

George E. Rivers  
Member

David S. Gerson  
Member

Michael E. Groom  
Alternate Member

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<sup>2</sup> 5 U.S.C. § 8107; 20 C.F.R. § 10.304(b).