

U. S. DEPARTMENT OF LABOR

Employees' Compensation Appeals Board

In the Matter of TERRANCE SHORTS and U.S. POSTAL SERVICE,
POST OFFICE, Cleveland, OH

*Docket No. 99-369; Submitted on the Record;
Issued July 11, 2000*

DECISION and ORDER

Before DAVID S. GERSON, WILLIE T.C. THOMAS,
MICHAEL E. GROOM

The issue is whether appellant has met his burden of proof in establishing that he sustained a recurrence of disability on September 4, 1996 causally related to his February 7, 1995 employment injury.

The Board has given careful consideration to the issue involved, the contentions of the parties on appeal and the entire case record. The Board finds that the August 18, 1998 decision of the Office of Workers' Compensation Programs' hearing representative 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 August 18, 1998 decision of the Office of Workers' Compensation Programs is affirmed.

Dated, Washington, D.C.
July 11, 2000

David S. Gerson
Member

Willie T.C. Thomas
Alternate Member

Michael E. Groom
Alternate Member

¹ The Board notes that, following the August 18, 1998 decision, appellant submitted new evidence. As the Office did not consider this evidence in reaching a final decision, the Board may not consider it for the first time on appeal. 20 C.F.R. § 501.2(c).