

U. S. DEPARTMENT OF LABOR

Employees' Compensation Appeals Board

In the Matter of MARY L. EVOU and U.S. POSTAL SERVICE,
POST OFFICE, Petersburg, MI

*Docket No. 99-729; Submitted on the Record;
Issued November 7, 2000*

DECISION and ORDER

Before DAVID S. GERSON, MICHAEL E. GROOM,
VALERIE D. EVANS-HARRELL

The issue is whether appellant sustained an emotional condition in the performance of duty, as alleged.

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 October 1, 1998 decision of the Office of Workers' Compensation Programs' hearing representative is in accordance with the facts and the law in his case and hereby adopts the findings and conclusions of the hearing representative.¹

The decision of the Office of Workers' Compensation Programs dated October 1, 1998 is hereby affirmed.

Dated, Washington, DC
November 7, 2000

David S. Gerson
Member

Michael E. Groom
Alternate Member

Valerie D. Evans-Harrell
Alternate Member

¹ Appellant did not meet her burden of establishing that she sustained an emotional condition in the performance of duty in that there was insufficient evidence to corroborate that her coworker, Diane Gorr, harassed her. Appellant also did not show that management acted unreasonably or abusively in failing to discipline Ms. Gorr in what were administrative matters. Appellant therefore did not establish a compensable factor of employment. *See Barbara J. Nicholson*, 45 ECAB 803, 809 (1994).