U.S. DEPARTMENT OF LABOR

Employees' Compensation Appeals Board

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In the Matter of PATRICK McGINLEY and DEPARTMENT OF THE TREASURY, U.S. CUSTOMS SERVICE, Dallas, TX

*Docket No. 00-1283; Submitted on the Record;*
*Issued December 10, 2001*

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DECISION and ORDER

Before WILLIE T.C. THOMAS, BRADLEY T. KNOTT, A. PETER KANJORSKI

The issue is whether the Office of Workers' Compensation Programs properly determined that appellant's wage-earning capacity was represented by the position of surveillance system monitor.

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 November 12, 1999 decision of the Office hearing representative, finalized November 16, 1999, is in accordance with the facts and the law in this case and hereby adopts the findings and conclusions of the hearing representative.

The decision of the Office of Workers' Compensation Programs dated November 12, 1999 and finalized on November 16, 1999 is affirmed.

Dated, Washington, DC
December 10, 2001

Willie T.C. Thomas
Member

Bradley T. Knott
Alternate Member

A. Peter Kanjorski
Alternate Member