

U. S. DEPARTMENT OF LABOR

Employees' Compensation Appeals Board

In the Matter of DWIGHT A. AHRENS and DEPARTMENT OF THE NAVY
PUGET SOUND NAVAL SHIPYARD, Bremerton, WA

*Docket No. 99-1176; Submitted on the Record;
Issued February 20, 2001*

DECISION and ORDER

Before MICHAEL E. GROOM, A. PETER KANJORSKI,
PRISCILLA ANNE SCHWAB

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

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 decision of the Office hearing representative dated February 19, 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.

The decision of the Office of Workers' Compensation Programs dated February 19, 1998 is hereby affirmed.¹

Dated, Washington, DC
February 20, 2001

Michael E. Groom
Alternate Member

A. Peter Kanjorski
Alternate Member

Priscilla Anne Schwab
Alternate Member

¹ After the issuance of the February 19, 1998 decision, appellant submitted additional evidence in support of the claim. The Board's review is limited to the evidence that was before the Office at the time of its final decision. The Board therefore cannot consider this evidence. 20 C.F.R. § 501.2(c).