

U. S. DEPARTMENT OF LABOR

Employees' Compensation Appeals Board

In the Matter of ROBERT M. GAVIN and SMALL BUSINESS ADMINISTRATION,
OFFICE OF CONTROLLER, Washington, DC

*Docket No. 99-1884; Submitted on the Record;
Issued May 1, 2001*

DECISION and ORDER

Before DAVID S. GERSON, A. PETER KANJORSKI,
PRISCILLA ANNE SCHWAB

The issues are: (1) whether the Office of Workers' Compensation Programs properly determined that appellant received an overpayment of compensation in the amount of \$27,051.14, from March 16, 1996 through December 6, 1997 because he received compensation while working full time; and (2) whether the Office properly found that appellant was at fault in the creation of the overpayment.

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 April 2, 1999, which affirmed the Office's March 10, 1998 decision, 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 April 2, 1999 decision of the Office of Workers' Compensation Programs is hereby affirmed.

Dated, Washington, DC
May 1, 2001

David S. Gerson
Member

A. Peter Kanjorski
Alternate Member

Priscilla Anne Schwab
Alternate Member