

U. S. DEPARTMENT OF LABOR

Employees' Compensation Appeals Board

In the Matter of FRANK W. PAULUS and U.S. POSTAL SERVICE,
POST OFFICE, Edison, NJ

*Docket No. 01-284; Submitted on the Record;
Issued September 27, 2001*

DECISION and ORDER

Before WILLIE T.C. THOMAS, MICHAEL E. GROOM,
BRADLEY T. KNOTT

The issue is whether appellant has greater than a six percent impairment of his right upper extremity for which he received a schedule award.¹

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 hearing representative of the Office of Workers' Compensation Programs dated July 14, 2000 is in accordance with the facts and the law in this case and hereby adopts the findings and conclusions of the Office hearing representative that appellant has not established greater than a six percent entitlement to a schedule award for his accepted injuries.

¹ The schedule award provision of the Act, 5 U.S.C. § 8107, and its implementing regulation, 20 C.F.R. § 10.404 (1999), set forth the number of weeks of compensation payable to employees sustaining permanent impairment from loss, or loss of use, of scheduled members or functions of the body. However, the Act does not specify the manner in which the percentage of loss shall be determined. For consistent results and to ensure equal justice under the law to all claimants, good administrative practice necessitates the use of a single set of tables so that there may be uniform standards applicable to all claimants. The American Medical Association, *Guides to the Evaluation of Permanent Impairment* has been adopted by the implementing regulation as the appropriate standard for evaluating schedule losses.

The decision of the Office of Workers' Compensation Programs dated July 14, 2000 is affirmed.

Dated, Washington, DC
September 27, 2001

Willie T.C. Thomas
Member

Michael E. Groom
Alternate Member

Bradley T. Knott
Alternate Member