

U. S. DEPARTMENT OF LABOR

Employees' Compensation Appeals Board

In the Matter of LINDA L. COGGINS and U.S. POSTAL SERVICE,
POST OFFICE, Anniston, AL

*Docket No. 01-1025; Submitted on the Record;
Issued January 22, 2002*

DECISION and ORDER

Before MICHAEL E. GROOM, BRADLEY T. KNOTT,
PRISCILLA ANNE SCHWAB

The issue is whether the Office of Workers' Compensation Programs properly determined that the compensation appellant forfeited from February 3 to March 1 and March 9 to April 19, 1996 resulted in an overpayment in the amount of \$4,931.60.

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 February 10, 2001 decision of the hearing representative is in accordance with the facts and the law in this case and hereby adopts the findings and conclusions of the Office hearing representative.¹

¹ This case has previously been on appeal before the Board. By decision dated January 24, 2000, the Board found, *inter alia*, that appellant forfeited her right to compensation during the period February 3 to March 1 and March 9 to April 19, 1996 because she knowingly failed to report earnings received from employment during those periods. The Board further found that the wage-loss compensation appellant received during that time was an overpayment and because she was at fault in creating the overpayment, appellant was not entitled to waiver of overpayment. As it was unclear from the record the exact amount of wage-loss compensation appellant received during the period February 3 to March 1 and March 9 to April 19, 1996, the Board remanded the case to the Office for calculation of the amount of compensation forfeited and thus, subject to recoupment as an overpayment. Docket No. 98-172. In the instant case, the Office properly calculated an overpayment of \$4,931.60 for the period February 3 to March 1 and March 9 to April 19, 1996.

The February 10, 2001 decision of the Office of Workers' Compensation Programs is, hereby, affirmed.

Dated, Washington, DC
January 22, 2002

Michael E. Groom
Alternate Member

Bradley T. Knott
Alternate Member

Priscilla Anne Schwab
Alternate Member