

U. S. DEPARTMENT OF LABOR

Employees' Compensation Appeals Board

In the Matter of THOMAS N. ANDERSON and DEPARTMENT OF THE NAVY,
NAVAL AIR WARFARE CENTER, Patuxent River, MD

Docket No. 02-228; Submitted on the Record;
Issued May 8, 2002

DECISION and ORDER

Before MICHAEL J. WALSH, ALEC J. KOROMILAS,
WILLIE T.C. THOMAS

The issue is whether appellant has a ratable hearing loss which would entitle him to a schedule award.

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 June 28, 2001 and finalized June 29, 2001 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 On appeal appellant alleged that, in applying the standards for evaluating his hearing loss, the Office should have taken into consideration his age when he first sustained hearing loss in the 1970s rather than his age when hearing testing was conducted in November 2000. The Board notes that, with respect to evaluating hearing loss, the relevant standards of the American Medical Association, *Guides to the Evaluation of Permanent Impairment* (4th ed. 1993) make no distinction with respect to an employee's age.

The decision of the Office of Workers' Compensation Programs dated June 28, 2001 and finalized June 29, 2001 is affirmed.

Dated, Washington, DC
May 8, 2002

Michael J. Walsh
Chairman

Alec J. Koromilas
Member

Willie T.C. Thomas
Alternate Member