

U. S. DEPARTMENT OF LABOR

Employees' Compensation Appeals Board

In the Matter of JOHN W. MERRITT and DEPARTMENT OF TRANSPORTATION,
FEDERAL AVIATION ADMINISTRATION, Des Plaines, IL

*Docket No. 02-1693; Submitted on the Record;
Issued November 26, 2002*

DECISION and ORDER

Before ALEC J. KOROMILAS, COLLEEN DUFFY KIKO,
MICHAEL E. GROOM

The issue is whether appellant met his burden of proof to establish that he sustained an emotional condition in the performance of duty.

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 and finalized May 6, 2002 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 May 6, 2002 and August 6, 2001 decisions of the Office of Workers' Compensation Programs are affirmed.

Dated, Washington, DC
November 26, 2002

Alec J. Koromilas
Member

Colleen Duffy Kiko
Member

Michael E. Groom
Alternate Member