

U. S. DEPARTMENT OF LABOR

Employees' Compensation Appeals Board

In the Matter of MIRIAM N. BANKS and DEPARTMENT OF JUSTICE,
CRIMINAL DIVISION, Washington, DC

*Docket No. 02-1736; Submitted on the Record;
Issued November 4, 2002*

DECISION and ORDER

Before MICHAEL J. WALSH, WILLIE T.C. THOMAS,
MICHAEL E. GROOM

The issue is whether the Office of Workers' Compensation Programs properly denied appellant's claim for continuation of pay.

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 dated and finalized March 8, 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.¹

¹ On appeal, appellant argued that a liberal interpretation of the Federal Employees' Compensation Act requires the Office to allow the filing of a continuation-of-pay claim more than 30 days after the date of injury. However, the Board has held that there is no provision under the Act for excusing an employee's failure to file a claim for continuation of pay within 30 days of the date of injury; *see Teresa Samilton*, 40 ECAB 955, 956 (1989).

The decision of the Office of Workers' Compensation Programs dated and finalized March 8, 2002 is affirmed.

Dated, Washington, DC
November 4, 2002

Michael J. Walsh
Chairman

Willie T.C. Thomas
Alternate Member

Michael E. Groom
Alternate Member