United States Department of Labor
Employees' Compensation Appeals Board

L.K., Appellant	)	
	)	**Docket No. 11-1393**
and	)	**Issued: September 6, 2011**
	)	
U.S. POSTAL SERVICE, POST OFFICE, Sequim, WA, Employer	)	

Appearances:
John E. Goodwin, Esq., for the appellant
Office of Solicitor, for the Director

Case Submitted on the Record

ORDER GRANTING REQUEST FOR ORAL ARGUMENT

Before:
RICHARD J. DASCHBACH, Chief Judge
ALEC J. KOROMILAS, Judge
COLLEEN DUFFY KIKO, Judge

By application dated May 25, 2011, appellant filed for review of a December 15, 2010 decision of an Office of Workers' Compensation Programs' (OWCP) hearing representative finding that her compensation benefits should be terminated as she refused suitable work. The appeal was docketed as No.11-1393. Appellant submitted a timely request for oral argument, explaining the need to address the evidence of record before the Board. Counsel contends that OWCP erred in instructing appellant of the type of medical evidence needed to establish that the offered position was not suitable work.

The Board has duly considered the matter and finds that appellant's request for oral argument should be granted. Pursuant to 20 C.F.R. § 501.5(a), oral argument may be held in the discretion of the Board.[1] In the present appeal, appellant's request was timely filed and a need for oral argument was advanced. The Board has jurisdiction over the merits of appellant's claim. The December 15, 2010 decision of the hearing representative found that appellant refused a suitable work position and terminated her compensation benefits. Appellant contends that the hearing representative failed to accurately describe the type of medical evidence needed to establish that the offered position was not suitable work. The Board, in its discretion, grants oral argument.

[1] 20 C.F.R. § 501.5(a).

IT IS HEREBY ORDERED THAT appellant's request for oral argument in Docket No. 11-1393 be granted.

Issued: September 6, 2011
Washington, DC

Richard J. Daschbach, Chief Judge
Employees' Compensation Appeals Board

Alec J. Koromilas, Judge
Employees' Compensation Appeals Board

Colleen Duffy Kiko, Judge
Employees' Compensation Appeals Board