

U. S. DEPARTMENT OF LABOR

Employees' Compensation Appeals Board

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In the Matter of JOHN W. EBERT and DEPARTMENT OF THE DEFENSE,  
STRATEGIC AIR COMMAND, ELLSWORTH AIR FORCE BASE, S.D.

*Docket No. 97-866; Submitted on the Record;  
Issued October 7, 1998*

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DECISION and ORDER

Before GEORGE E. RIVERS, DAVID S. GERSON,  
MICHAEL E. GROOM

The issue is whether the Office of Workers' Compensation Programs properly adjusted appellant's compensation to reflect his wage-earning capacity as a motor vehicle operator.

The Board has given careful consideration to the issue involved, the contentions of appellant on appeal and the entire case record. The Board finds that the November 27, 1996 decision of the hearing representative of the Office is in accordance with the facts and law in this case and hereby adopts the findings and conclusions of the hearing representative.

The decision of the Office of Workers' Compensation Programs dated November 27, 1996 is hereby affirmed.

Dated, Washington, D.C.  
October 7, 1998

George E. Rivers  
Member

David S. Gerson  
Member

Michael E. Groom  
Alternate Member