

U. S. DEPARTMENT OF LABOR

Employees' Compensation Appeals Board

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In the Matter of JAMES M. STUMPO and U.S. POSTAL SERVICE,  
POST OFFICE, Detroit, MI

*Docket No. 01-1062; Submitted on the Record;  
Issued April 22, 2002*

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DECISION and ORDER

Before ALEC J. KOROMILAS, WILLIE T.C. THOMAS,  
A. PETER KANJORSKI

The issue is whether appellant had greater than a 38 percent impairment of his right upper extremity for which he had received 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 December 4, 2000 decision of the hearing representative of the Office of Workers' Compensation Programs is in accordance with the facts and the law in this case and hereby adopts the findings and conclusions of the hearing representative.<sup>1</sup>

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<sup>1</sup> On appeal appellant questioned why his award was not based on the whole person. The Board notes that the Federal Employees' Compensation Act does not authorize the payment of schedule awards for the permanent impairment of "the whole person." Payment is authorized only for the permanent impairment of specified members, organs or functions of the body. 5 U.S.C. § 8107(c); 20 C.F.R. § 10.404(a); *see Gordon G. McNeill*, 42 ECAB 140, 145 (1990). Appellant also questioned why May 15, 1999 was found to be the date of maximum medical improvement. The record reveals that only Dr. Huntsman noted a date of maximum medical improvement which was May 15, 1999, two years from the date of the work-related injury. Such determinations are the proper subject for a medical determination which was made by the Office medical adviser in this case. The hearing representative noted that the date of maximum medical improvement has minimal impact in the award.

The decisions of the Office of Workers' Compensation Programs dated December 4 and January 11, 2000 are affirmed.<sup>2</sup>

Dated, Washington, DC  
April 22, 2002

Alec J. Koromilas  
Member

Willie T.C. Thomas  
Alternate Member

A. Peter Kanjorski  
Alternate Member

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<sup>2</sup> The Board notes that this case record contains evidence which was submitted subsequent to the Office's December 4, 2000 decision. The Board has no jurisdiction to review this evidence for the first time on appeal; *see* 20 C.F.R. § 501.2(c); *James C. Campbell*, 5 ECAB 35, 36 n. 2 (1952).