

U. S. DEPARTMENT OF LABOR

Employees' Compensation Appeals Board

In the Matter of GOPAL KRISHNA and DEPARTMENT OF AGRICULTURE,
FOOD SAFETY & INSPECTION SERVICE, Hope, AK

*Docket No. 01-1956; Submitted on the Record;
Issued April 3, 2002*

DECISION and ORDER

Before ALEC J. KOROMILAS, COLLEEN DUFFY KIKO,
DAVID S. GERSON

The issue is whether appellant established that he was entitled to compensation for disability for the period January 16 to May 2000 due to his accepted right knee injury of August 26, 1998.

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 decision of the Office of Workers' Compensation Programs' hearing representative, dated and finalized on May 23, 2001, is in accordance with the facts and the law in this case and hereby adopts the findings and conclusions of the hearing representative.¹

¹ The Office hearing representative correctly noted that the record supports a finding that appellant sustained an intervening injury on October 29, 1998. If it is appellant's contention that the October 29, 1998 right knee injury is work related he must file a separate claim for compensation for disability for the period alleged.

Accordingly, the decision of the Office of Workers' Compensation Programs dated May 23, 2001 is hereby affirmed.

Dated, Washington, DC
April 3, 2002

Alec J. Koromilas
Member

Colleen Duffy Kiko
Member

David S. Gerson
Alternate Member