

U. S. DEPARTMENT OF LABOR

Employees' Compensation Appeals Board

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In the Matter of LEONARD MARMORATO and U.S. POSTAL SERVICE,  
POST OFFICE, Brigantine, NJ

*Docket No. 02-808; Submitted on the Record;  
Issued August 23, 2002*

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DECISION and ORDER

Before COLLEEN DUFFY KIKO, DAVID S. GERSON,  
WILLIE T.C. THOMAS

The issue is whether appellant is entitled to more than a 12 percent permanent impairment of the right upper extremity, for which he has received schedule awards.

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 October 3, 2001 decision 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 Office's hearing representative.

The October 3, 2001 decision of the Office of Workers' Compensation Programs is affirmed.<sup>1</sup>

Dated, Washington, DC  
August 23, 2002

Colleen Duffy Kiko  
Member

David S. Gerson  
Alternate Member

Willie T.C. Thomas  
Alternate Member

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<sup>1</sup> The hearing representative remanded the claim to the Office to determine whether appellant was entitled to a schedule award for his left upper extremity. The record contains a February 7, 2002 decision finding a five percent permanent impairment of the left upper extremity. Inasmuch as appellant filed his appeal on February 6, 2002, that decision is not before the Board. *See John Reese*, 49 ECAB 397, 400 (1998) (the Board has jurisdiction of final Office decisions issued within one year prior to the date of the filing of an appeal).