

U. S. DEPARTMENT OF LABOR

Employees' Compensation Appeals Board

In the Matter of TRACY H. CURRY and DEPARTMENT OF JUSTICE,
FCI--BUREAU OF PRISONS, Memphis, TN

*Docket No. 01-1605; Submitted on the Record;
Issued February 26, 2002*

DECISION and ORDER

Before ALEC J. KOROMILAS, MICHAEL E. GROOM,
A. PETER KANJORSKI

The issue is whether appellant established that he sustained an emotional condition in the performance of duty.

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 April 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 hearing representative.¹

¹ Appellant did not show that management's interviewing him and questioning him in a confined area on April 3, 2000 as part of an investigation of a recent prison incident was unreasonable or abusive and therefore appellant did not establish a compensable factor of employment. *See Bernard Snowden*, 49 ECAB 144, 149 (1997). If appellant chooses to seek compensation for the cumulative effect of stressful events at the employing establishment, he must file an occupational claim, Form CA-2.

The April 3, 2001 and September 12, 2000 decisions of the Office of Workers' Compensation Programs are hereby affirmed.

Dated, Washington, DC
February 26, 2002

Alec J. Koromilas
Member

Michael E. Groom
Alternate Member

A. Peter Kanjorski
Alternate Member