

APPEAL NO. 011827
FILED SEPTEMBER 11, 2001

This appeal arises pursuant to the Texas Workers' Compensation Act, TEX. LAB. CODE ANN. § 401.001 *et seq.* (1989 Act). A contested case hearing was held on June 21, 2001. On the sole issue, the hearing officer determined that the appellant (claimant) was not entitled to supplemental income benefits (SIBs) for the 15th quarter. The claimant appeals, urging that she be granted 50% SIBs because she had an ability to work only part time and made some effort to find employment. The respondent (carrier) urges affirmance.

DECISION

Affirmed.

The hearing officer did not err in determining that the claimant was not entitled to 15th quarter SIBs. Sections 408.142 and 408.143 provide that an employee continues to be entitled to SIBs after the first compensable quarter if the employee (1) has not returned to work or has earned less than 80% of her average weekly wage as a direct result of the impairment, and (2) has in good faith sought employment commensurate with her ability to work. Tex. W.C. Comm'n, 28 TEX. ADMIN. CODE § 130.102(e) (Rule 130.102(e)) provides that an injured employee shall look for employment commensurate with his or her ability to work every week of the qualifying period and document his or her job search efforts. We have held that the documentation requirement of Rule 130.102(e) is mandatory and undocumented employment contacts may not be considered in arriving at the good faith determination. Texas Workers' Compensation Commission Appeal No. 000505, decided April 20, 2000. A careful review of the record reveals no documentary evidence of a job search by the claimant for the sixth week (January 5 to 11, 2001) of the qualifying period for the 15th quarter of SIBs. Therefore, the hearing officer's determination that the claimant is not entitled to 15th quarter SIBs is not so against the great weight and preponderance of the evidence as to be clearly wrong or manifestly unjust. Cain v. Bain, 709 S.W.2d 175 (Tex. 1986).

As stated above, the claimant requests that she be granted 50% SIBs because she had an ability to work only part time and made some effort to find employment. We find no authority under the statute or the rules for such a grant of income benefits. The claimant's request is denied.

The decision of the hearing officer is affirmed.

The true corporate name of the insurance carrier is **INSURANCE COMPANY OF THE STATE OF PENNSYLVANIA** and the name and address of its registered agent for service of process is

**CORPORATION SERVICE COMPANY
800 BRAZOS, SUITE 750, COMMODORE 1
AUSTIN, TEXAS 78701.**

Gary L. Kilgore
Appeals Judge

CONCUR:

Judy L. S. Barnes
Appeals Judge

Susan M. Kelley
Appeals Judge