

APPEAL NO. 021179  
FILED JUNE 26, 2002

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 April 23, 2002. The hearing officer decided that the appellant (claimant) is not entitled to supplemental income benefits (SIBs) for the 14th quarter because he did not make a good faith effort to obtain employment commensurate with his ability to work. The claimant appealed and the respondent (carrier) responded, urging affirmance.

DECISION

Affirmed.

The hearing officer did not err in determining that the claimant is not entitled to SIBs for the 14th quarter. It is undisputed that the qualifying period for the 14th quarter ran from July 3, 2001, through October 1, 2001. Sections 408.142(a) and 408.143 and Tex. W.C. Comm'n, 28 TEX. ADMIN. CODE § 130.102 (Rule 130.102) provide the statutory and regulatory requirements for entitlement to SIBs. Rule 130.102(e) provides in pertinent part that, except as provided in subsection (d)(1), (2), (3), and (4) of Rule 130.102, an injured employee who has not returned to work and is able to return to work in any capacity 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. See *also* Texas Workers' Compensation Commission Appeal No. 000321, decided March 29, 2000 and Texas Workers' Compensation Commission Appeal No. 000776, decided May 30, 2000. In the instant case, the claimant failed to document any job search during the first, fifth, and ninth weeks of the relevant qualifying period. As such, the claimant has failed to satisfy the weekly documented job search requirement contained in Rule 130.102(e), and is therefore not entitled to SIBs for the 14th quarter.

The hearing officer's decision and order are affirmed.

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

**JAMES HOOKER  
10370 RICHMOND  
HOUSTON, TEXAS 77042.**

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Daniel R. Barry  
Appeals Judge

CONCUR:

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Susan M. Kelley  
Appeals Judge

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Philip F. O'Neill  
Appeals Judge