

The Board, having duly considered the matter, finds that a right to reconsideration by OWCP accompanies any subsequent merit decision on the issues, if timely filed. This right to reconsideration of a merit decision follows any hearing or review of the written record, any denial of modification following reconsideration and any merit decision by the Board.² See *Leon D. Faidley*, 41 ECAB 104 (1989); see also Federal (FECA) Procedure Manual, Part 2 -- Claims, *Reconsiderations*, Chapter 2.1602.4(a) (October 2011).

As appellant filed a timely request for reconsideration before OWCP on March 7, 2011 following a merit decision by the Board, OWCP improperly informed him that his appeal rights were only to the Board. This case will be remanded to OWCP for an appropriate decision regarding appellant's request for reconsideration.

IT IS HEREBY ORDERED THAT the March 22, 2011 decision of the Office of Workers' Compensation Programs be set aside and the case be remanded for an appropriate decision.

Issued: February 15, 2012
Washington, DC

Richard J. Daschbach, Chief Judge
Employees' Compensation Appeals Board

Alec J. Koromilas, Judge
Employees' Compensation Appeals Board

Colleen Duffy Kiko, Judge
Employees' Compensation Appeals Board

² But there is no right to reconsideration by OWCP following a decision regarding a prerecoupment hearing.