

The Board finds that appellant submitted a timely application for reconsideration of the January 20, 2010 OWCP decision.¹ Since OWCP incorrectly found the application for reconsideration was untimely, the case will be remanded to OWCP for a proper decision regarding the timely reconsideration request. After such development as OWCP deems necessary, it should issue an appropriate decision.

IT IS HEREBY ORDERED THAT the decision of the Office of Workers' Compensation Programs dated March 25, 2011 is set aside and the case remanded for further action consistent with this order of the Board.

Issued: May 9, 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

¹ A claimant has one year from the date of an adverse final decision to timely request reconsideration. 20 C.F.R. § 10.607(a).