



Viewcrest Place address. Thus, a copy of that decision was not sent to appellant's authorized representative.

OWCP regulations and Board case law require OWCP to send a copy of its decision to appellant and the authorized representative.<sup>1</sup> The Board has held that a decision under the Federal Employees' Compensation Act<sup>2</sup> (FECA) is not properly issued unless both appellant and the authorized representative have been sent copies of the decision.<sup>3</sup> As OWCP did not send the June 20, 2012 decision to appellant's representative, the Board concludes that the decision was not properly issued. The Board will set aside the decision and remand the case for an appropriate and properly issued merit decision on the relevant issues. Accordingly,

**IT IS HEREBY ORDERED THAT** the June 20, 2012 decision of the Office of Workers' Compensation Programs is set aside and the case is remanded to OWCP for further action consistent with this order of the Board.

Issued: March 12, 2013  
Washington, DC

Patricia Howard Fitzgerald, Judge  
Employees' Compensation Appeals Board

Michael E. Groom, Alternate Judge  
Employees' Compensation Appeals Board

James A. Haynes, Alternate Judge  
Employees' Compensation Appeals Board

---

<sup>1</sup> 20 C.F.R. § 10.127 provides, a copy of the decision shall be mailed to the employee's last known address. If the employee has a designated representative before OWCP, a copy of the decision will also be mailed to the representative. *See also M.R.*, Docket No. 11-632 (issued September 28, 2011). In *George R. Bryant*, Docket No. 03-2241 (issued April 19, 2005), the Board found that OWCP did not properly issue its June 18, 2003 decision when it did not send a copy of that decision to the authorized representative. In *James Consentino*, Docket No. 04-1774 (issued October 21, 2004), the Board found that OWCP improperly issued a decision terminating compensation because it did not mail the decision to appellant's representative and declared the termination decision null and void.

<sup>2</sup> 5 U.S.C. § 8101 *et seq.*

<sup>3</sup> *See R.J.*, Docket No. 12-174 (issued June 25, 2012); *Travis L. Chambers*, 55 ECAB 138 (2003).