

held that, in computing a time period, the date of the event from which the designated period of time begins to run shall not be included, while the last day of the period so computed shall be included, unless it is a Saturday, a Sunday, or a legal holiday.² The last merit decision in this case was dated June 29, 2012 and appellant's request for reconsideration was received by OWCP on Monday, July 1, 2013. Appellant had one year from the June 29, 2012 decision to request reconsideration. The Board notes, however, that June 29, 2013 fell on a Saturday. It is well established that when a time limitation expires on a nonbusiness day, the limitation is extended to include the next business day.³ Therefore, because the time limitation for filing a request for reconsideration fell on a Saturday, the time period for filing a request for reconsideration did not expire until the next business day, which was Monday, July 1, 2013.

Appellant's request for reconsideration was received by the close of business on July 1, 2013, rendering it timely filed. The case will be remanded to OWCP for consideration of appellant's request under the standard for reviewing timely requests for reconsideration.⁴

IT IS HEREBY ORDERED THAT the July 30, 2013 decision of the Office of Workers Compensation Programs is set aside. The case is remanded to OWCP for application of the proper standard for reviewing a timely request for reconsideration.

Issued: January 8, 2014
Washington, DC

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

Colleen Duffy Kiko, Judge
Employees' Compensation Appeals Board

Patricia Howard Fitzgerald, Judge
Employees' Compensation Appeals Board

² *John B. Montoya*, 43 ECAB 1148, 1151 (1992); *see Donna A. Christley*, 41 ECAB 90, 91 (1989).

³ *See J.L.*, Case No. 13-1060 (issued September 20, 2013); *Debra McDavid*, 57 ECAB 149, 150 (2005); *Angel M. Lebron, Jr.*, 51 ECAB 488, 490 (2000); *Gary J. Martinez*, 41 ECAB 427, 427-28 (1990); FECA Program Memorandum No. 250 (issued January 29, 1979).

⁴ This standard is found at 20 C.F.R. § 10.606(b)(3).