

**United States Department of Labor  
Employees' Compensation Appeals Board**

P.H., Appellant	)	
	)	
and	)	Docket No. 20-0987
	)	Issued: November 30, 2020
DEPARTMENT OF THE AIR FORCE, TINKER	)	
AIR FORCE BASE, OK, Employer	)	
	)	

*Appearances:*  
*Appellant, pro se*  
*Office of Solicitor, for the Director*

*Case Submitted on the Record*

**ORDER DISMISSING APPEAL**

Before:  
ALEC J. KOROMILAS, Chief Judge  
JANICE B. ASKIN, Judge  
PATRICIA H. FITZGERALD, Alternate Judge

On April 8, 2020 appellant filed an appeal from an October 10, 2019 decision of the Office of Workers' Compensation Programs (OWCP). The Clerk of the Appellate Boards assigned Docket No. 20-0987.

The Board has duly considered the matter and notes that the Board has jurisdiction to review final adverse decisions of OWCP issued under the Federal Employees' Compensation Act (FECA).<sup>1</sup> For final adverse decisions of OWCP issued on or after November 19, 2008, the Board's review authority is limited to appeals which are filed within 180 days from the date of issuance of OWCP's decision.<sup>2</sup>

The 180<sup>th</sup> day following the October 10, 2019 decision was April 7, 2020. As appellant did not file an appeal with the Board until April 8, 2020, more than 180 days after the October 10, 2019 OWCP decision, the Board finds that the appeal docketed as No. 20-0987 is untimely filed. The Board is without jurisdiction to review the appeal. Appellant has not offered a reason to explain his failure to timely file an appeal with supporting documentation sufficient to establish

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<sup>1</sup> 5 U.S.C. § 8101 *et seq.*; 20 C.F.R. §§ 501.2(c) and 501.3(a).

<sup>2</sup> *Id.* at § 501.3(e) (2009).

compelling circumstances. Because there is no final, adverse decision issued by OWCP within 180 days of the April 8, 2020 filing of the instant appeal, the Board concludes that the appeal docketed as No. 20-0987 must be dismissed.<sup>3</sup> Accordingly,

**IT IS HEREBY ORDERED THAT** the appeal docketed as No. 20-0987 is dismissed.

Issued: November 30, 2020  
Washington, DC

Alec J. Koromilas, Chief Judge  
Employees' Compensation Appeals Board

Janice B. Askin, Judge  
Employees' Compensation Appeals Board

Patricia H. Fitzgerald, Alternate Judge  
Employees' Compensation Appeals Board

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<sup>3</sup> The Board's decisions and orders are "final upon the expiration of 30 days from the date of their issuance." *Id.* at § 501.6(d).