

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

C.J., Appellant	)	
	)	
and	)	<b>Docket No. 22-0447</b>
	)	<b>Issued: August 29, 2022</b>
<b>U.S. POSTAL SERVICE, MEMPHIS</b>	)	
<b>NETWORK DISTRIBUTION CENTER,</b>	)	
<b>Memphis, TN, Employer</b>	)	

*Appearances:*  
Capp P. Taylor, for the appellant<sup>1</sup>  
Office of Solicitor, for the Director

*Case Submitted on the Record*

**ORDER DISMISSING APPEAL**

Before:  
ALEC J. KOROMILAS, Chief Judge  
VALERIE D. EVANS-HARRELL, Alternate Judge  
JAMES D. MCGINLEY, Alternate Judge

On December 23, 2021 appellant, through her representative, filed an appeal from a purported August 25, 2021 decision of the Office of Workers' Compensation Programs (OWCP). The Clerk of the Appellate Boards assigned the appeal Docket No. 22-0447.

The Board, having duly considered the matter, notes that its jurisdiction is limited to the review of final adverse OWCP decisions issued under the Federal Employees' Compensation Act.<sup>2</sup> This jurisdiction encompasses any final decision issued by OWCP within 180 days of the date appellant filed this appeal.<sup>3</sup> Although the case record does contain a letter from OWCP dated

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<sup>1</sup> In all cases in which a representative has been authorized in a matter before the Board, no claim for a fee for legal or other service performed on appeal before the Board is valid unless approved by the Board. 20 C.F.R. § 501.9(e). No contract for a stipulated fee or on a contingent fee basis will be approved by the Board. *Id.* An attorney or representative's collection of a fee without the Board's approval may constitute a misdemeanor, subject to fine or imprisonment for up to one year or both. *Id.*; *see also* 18 U.S.C. § 292. Demands for payment of fees to a representative, prior to approval by the Board, may be reported to appropriate authorities for investigation.

<sup>2</sup> 5 U.S.C. § 8101 *et seq.*; 20 C.F.R. §§ 501.2(c) and 501.3(a).

<sup>3</sup> 20 C.F.R. § 501.3(e) provides in pertinent part: "Any notice of appeal must be filed within 180 days from the date of issuance of a decision of the OWCP."

August 25, 2021, it is informational in nature. Thus, it does not constitute a final adverse OWCP decision.<sup>4</sup> As there is no final adverse OWCP decision over which the Board may properly exercise jurisdiction, the Board concludes that the appeal docketed as Docket No. 22-0447 must be dismissed. Accordingly,

**IT IS HEREBY ORDERED THAT** the appeal docketed as No. 22-0447 is dismissed.<sup>5</sup>

Issued: August 29, 2022  
Washington, DC

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

Valerie D. Evans-Harrell, Alternate Judge  
Employees' Compensation Appeals Board

James D. McGinley, Alternate Judge  
Employees' Compensation Appeals Board

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<sup>4</sup> See *Order Dismissing Appeal, E.B.*, Docket No. 21-1281 (issued April 5, 2022); *Order Dismissing Appeal, K.S.*, Docket No. 20-1401 (issued March 17, 2021); *Order Dismissing Appeal, S.U.*, Docket No. 20-0636 (issued December 3, 2020) (correspondence that is purely informational in nature does not constitute a final adverse decision of OWCP from which appellant may properly appeal). *Id.* at §§ 501.2(c) and 501.3(a).

<sup>5</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).